





ACTS
AND
RESOLVES
PASSED BY THE
General Court of Massachusetts,
IN THE YEAR
1921,

TOGETHER WITH
THE CONSTITUTION, THE REARRANGEMENT OF THE CONSTITUTION, TABLES SHOWING CHANGES IN THE STATUTES; LAW APPROVED BY THE PEOPLE IN NOVEMBER, 1920, AND ACTS AND RESOLVES AND AMENDMENTS TO THE CONSTITUTION PASSED BY THE GENERAL COURT OF MASSACHUSETTS AT AN EXTRA SESSION, DECEMBER, 1920, ETC., ETC.

PUBLISHED BY THE
SECRETARY OF THE COMMONWEALTH.



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A CONSTITUTION
OR
FORM OF GOVERNMENT

FOR
The Commonwealth of Massachusetts

P R E A M B L E .

The end of the institution, maintenance, and administration of government, is to secure the existence of the body politic, to protect it, and to furnish the individuals who compose it with the power of enjoying in safety and tranquillity their natural rights, and the blessings of life: and whenever these great objects are not obtained, the people have a right to alter the government, and to take measures necessary for their safety, prosperity, and happiness.

Objects of
government.

The body politic is formed by a voluntary association of individuals: it is a social compact, by which the whole people covenants with each citizen, and each citizen with the whole people, that all shall be governed by certain laws for the common good. It is the duty of the people, therefore, in framing a constitution of government, to provide for an equitable mode of making laws, as well as for an impartial interpretation and a faithful execution of them; that every man may, at all times, find his security in them.

Body politic,
how formed.
Its nature.

We, therefore, the people of Massachusetts, acknowledging, with grateful hearts, the goodness of the great Legislator of the universe, in affording us, in the course of His providence, an opportunity, deliberately and peaceably, without fraud, violence, or surprise, of entering into

CONSTITUTION OF THE

an original, explicit, and solemn compact with each other; and of forming a new constitution of civil government, for ourselves and posterity; and devoutly imploring His direction in so interesting a design, do agree upon, ordain, and establish, the following *Declaration of Rights, and Frame of Government*, as the CONSTITUTION OF THE COMMONWEALTH OF MASSACHUSETTS.

PART THE FIRST.

A Declaration of the Rights of the Inhabitants of the Commonwealth of Massachusetts.

Equality and natural rights of all men.

Article I. All men are born free and equal, and have certain natural, essential, and unalienable rights; among which may be reckoned the right of enjoying and defending their lives and liberties; that of acquiring, possessing, and protecting property; in fine, that of seeking and obtaining their safety and happiness.

Right and duty of public religious worship. Protection therein.
2 Cush. 104.
12 Allen, 129.
See amendments, Arts. XLVI and XLVIII.

II. It is the right as well as the duty of all men in society, publicly, and at stated seasons, to worship the SUPREME BEING, the great Creator and Preserver of the universe. And no subject shall be hurt, molested, or restrained, in his person, liberty, or estate, for worshipping God in the manner and season most agreeable to the dictates of his own conscience; or for his religious profession or sentiments; provided he doth not disturb the public peace, or obstruct others in their religious worship.

Amendments, Art. XI, substituted for this.

III. [As the happiness of a people, and the good order and preservation of civil government, essentially depend upon piety, religion, and morality; and as these cannot be generally diffused through a community but by the institution of the public worship of God, and of public instructions in piety, religion, and morality: Therefore, to promote their happiness, and to secure the good order and preservation of their government, the people of this commonwealth have a right to invest their legislature with power to authorize and require, and the legislature shall, from time to time, authorize and require, the several towns, parishes, precincts, and other bodies politic, or religious societies, to make suitable provision, at their own expense, for the institution of the public worship of God, and for the support and maintenance of public Protestant teachers

Legislature empowered to compel provision for public worship.

of piety, religion, and morality, in all cases where such provision shall not be made voluntarily.

And the people of this commonwealth have also a right to, and do, invest their legislature with authority to enjoin upon all the subjects an attendance upon the instructions of the public teachers aforesaid, at stated times and seasons, if there be any on whose instructions they can conscientiously and conveniently attend.

Legislature to enjoin attendance thereon.

Provided, notwithstanding, that the several towns, parishes, precincts, and other bodies politic, or religious societies, shall, at all times, have the exclusive right of electing their public teachers, and of contracting with them for their support and maintenance.

Exclusive right of electing religious teachers secured.

And all moneys paid by the subject to the support of public worship, and of the public teachers aforesaid, shall, if he require it, be uniformly applied to the support of the public teacher or teachers of his own religious sect or denomination, provided there be any on whose instructions he attends; otherwise it may be paid towards the support of the teacher or teachers of the parish or precinct in which the said moneys are raised.

Option as to whom parochial taxes may be paid, unless, etc.

And every denomination of Christians, demeaning themselves peaceably, and as good subjects of the commonwealth, shall be equally under the protection of the law: and no subordination of any one sect or denomination to another shall ever be established by law.]

All denominations equally protected. 8 Met. 162. Subordination of one sect to another prohibited.

IV. The people of this commonwealth have the sole and exclusive right of governing themselves, as a free, sovereign, and independent state; and do, and forever hereafter shall, exercise and enjoy every power, jurisdiction, and right, which is not, or may not hereafter be, by them expressly delegated to the United States of America, in Congress assembled.

Right of self government secured.

V. All power residing originally in the people, and being derived from them, the several magistrates and officers of government, vested with authority, whether legislative, executive, or judicial, are their substitutes and agents, and are at all times accountable to them.

Accountability of all officers, etc.

VI. No man, nor corporation, or association of men, have any other title to obtain advantages, or particular and exclusive privileges, distinct from those of the community, than what arises from the consideration of services rendered to the public; and this title being in nature neither hereditary, nor transmissible to children,

Services rendered to the public being the only title to peculiar privileges, hereditary offices are absurd and unnatural.

Objects of government; right of people to institute and change it.

Right of people to secure rotation in office.

All, having the qualifications prescribed, equally eligible to office. For the definition of "inhabitant," see Part the Second, Ch. 1, Sect. 2, Art. II.

Right of protection and duty of contribution correlative.

Taxation founded on consent.

16 Mass. 326.
1 Pick. 418.
7 Pick. 344.
12 Pick. 184, 467.

16 Pick. 87.
23 Pick. 360.

7 Met. 388.
4 Gray, 474.

7 Gray, 363.
14 Gray, 154.

1 Allen, 150.
4 Allen, 474.

Private property not to be taken for public uses without, etc.

See amendments, Arts. XXXIX and XLVII.

or descendants, or relations by blood, the idea of a man born a magistrate, lawgiver, or judge, is absurd and unnatural.

VII. Government is instituted for the common good; for the protection, safety, prosperity, and happiness of the people; and not for the profit, honor, or private interest of any one man, family, or class of men: Therefore the people alone have an incontestable, unalienable, and infeasible right to institute government; and to reform, alter, or totally change the same, when their protection, safety, prosperity, and happiness require it.

VIII. In order to prevent those who are vested with authority from becoming oppressors, the people have a right, at such periods and in such manner as they shall establish by their frame of government, to cause their public officers to return to private life; and to fill up vacant places by certain and regular elections and appointments.

IX. All elections ought to be free; and all the inhabitants of this commonwealth, having such qualifications as they shall establish by their frame of government, have an equal right to elect officers, and to be elected, for public employments.

See amendments, Art. XLV. 122 Mass. 595, 596.

Freedom of elections, not to be the subject of an initiative or referendum petition. See amendments, Art. XLVIII, The initiative, II, sect. 2.

For compulsory voting, see amendments, Art. LXI.

X. Each individual of the society has a right to be protected by it in the enjoyment of his life, liberty, and property, according to standing laws. He is obliged, consequently, to contribute his share to the expense of this protection; to give his personal service, or an equivalent, when necessary: but no part of the property of any individual can, with justice, be taken from him, or applied to public uses, without his own consent, or that of the representative body of the people. In fine, the people of this commonwealth are not controllable by any other laws than those to which their constitutional representative body have given their consent. And whenever the public exigencies require that the property of any individual should be appropriated to public uses, he shall receive a reasonable compensation therefor.

6 Cush. 327.	12 Allen, 223, 230.	108 Mass. 202, 213.	126 Mass. 428, 441.
14 Gray, 155.	100 Mass. 544, 560.	111 Mass. 130.	127 Mass. 50, 52.
16 Gray, 417, 431.	103 Mass. 120, 624.	113 Mass. 45.	358, 363, 410, 413.
1 Allen, 150.	106 Mass. 356, 362.	116 Mass. 463.	129 Mass. 559.
11 Allen, 530.			

Right to receive compensation for private property appropriated to public use, not to be the subject of an initiative or referendum petition. See amendments, Art. XLVIII, The initiative, II, sect. 2.

XI. Every subject of the commonwealth ought to find a certain remedy, by having recourse to the laws, for all injuries or wrongs which he may receive in his person, property, or character. He ought to obtain right and justice freely, and without being obliged to purchase it; completely, and without any denial; promptly, and without delay; conformably to the laws.

XII. No subject shall be held to answer for any crimes or offence, until the same is fully and plainly, substantially and formally, described to him; or be compelled to accuse, or furnish evidence against himself. And every subject shall have a right to produce all proofs that may be favorable to him; to meet the witnesses against him face to face, and to be fully heard in his defence by himself, or his counsel, at his election. And no subject shall be arrested, imprisoned, despoiled, or deprived of his property, immunities, or privileges, put out of the protection of the law, exiled, or deprived of his life, liberty, or estate, but by the judgment of his peers, or the law of the land.

100 Mass. 287, 295.

108 Mass. 5, 6.

122 Mass. 332.

127 Mass. 550, 554.

103 Mass. 418.

118 Mass. 443, 451.

124 Mass. 464.

129 Mass. 559.

107 Mass. 172, 180.

120 Mass. 118, 120.

Right of access to and protection in courts of justice, not to be the subject of an initiative or referendum petition. See amendments, Art. XLVIII, The initiative, II, sect. 2.

And the legislature shall not make any law that shall subject any person to a capital or infamous punishment, excepting for the government of the army and navy, without trial by jury.

Right of trial by jury, not to be the subject of an initiative or referendum petition. See amendments, Art. XLVIII, The initiative, II, sect. 2.

XIII. In criminal prosecutions, the verification of facts, in the vicinity where they happen, is one of the greatest securities of the life, liberty, and property of the citizen.

XIV. Every subject has a right to be secure from all unreasonable searches, and seizures, of his person, his houses, his papers, and all his possessions. All warrants, therefore, are contrary to this right, if the cause or foundation of them be not previously supported by oath or affirmation, and if the order in the warrant to a civil officer, to make search in suspected places, or to arrest one or more suspected persons, or to seize their property, be not accompanied with a special designation of the persons or objects of search, arrest, or seizure: and no warrant ought to be issued but in cases, and with the formalities prescribed by the laws.

Protection from unreasonable search, not to be the subject of an initiative or referendum petition. See amendments, Art. XLVIII, The initiative, II, sect. 2.

Remedies, by recourse to the law, to be free, complete and prompt.

Prosecutions regulated.

8 Pick. 211.

10 Pick. 9.

18 Pick. 434.

21 Pick. 542.

2 Met. 329.

12 Cush. 246.

1 Gray, 1.

5 Gray, 160.

8 Gray, 329.

10 Gray, 11.

11 Gray, 438.

2 Allen, 361.

11 Allen, 238-

240, 264, 439,

473.

12 Allen, 170.

97 Mass. 570,

573.

Right to trial by jury in criminal cases, except, etc.

8 Gray, 329,

373.

103 Mass. 418.

Crimes to be proved in the vicinity.

2 Pick. 550.

121 Mass. 61, 62.

Right of search and seizure regulated.

Const. of U. S.,

Amend't IV.

2 Met. 329.

5 Cush. 369.

1 Gray, 1.

13 Gray, 454.

10 Allen, 403.

100 Mass. 136,

139.

126 Mass. 269,

273.

Right to trial
by jury sacred,
except, etc.
Const. of U. S.,
Amend't VII.
2 Pick. 382.
7 Pick. 366.
5 Gray, 144.
8 Gray, 373.
11 Allen, 574,
577.
102 Mass. 45, 47.

XV. In all controversies concerning property, and in all suits between two or more persons, except in cases in which it has heretofore been otherways used and practised, the parties have a right to a trial by jury; and this method of procedure shall be held sacred, unless, in causes arising on the high seas, and such as relate to mariners' wages, the legislature shall hereafter find it necessary to alter it.

114 Mass. 388, 390.

122 Mass. 505, 516.

125 Mass. 182, 188.

120 Mass. 320, 321.

123 Mass. 590, 593.

128 Mass. 600.

Right of trial by jury, not to be the subject of an initiative or referendum petition. See amendments, Art. XLVIII, The initiative, II, sect. 2.

Liberty of the
press.

XVI. The liberty of the press is essential to the security of freedom in a state: it ought not, therefore, to be restrained in this commonwealth.

Freedom of the press, not to be the subject of an initiative or referendum petition. See amendments, Art. XLVIII, The initiative, II, sect. 2.

Right to keep
and bear arms.
Standing armies
dangerous.
Military power
subordinate to
civil.
5 Gray, 121.

XVII. The people have a right to keep and to bear arms for the common defence. And as, in time of peace, armies are dangerous to liberty, they ought not to be maintained without the consent of the legislature; and the military power shall always be held in an exact subordination to the civil authority, and be governed by it.

Moral qualifica-
tions for office.

XVIII. A frequent recurrence to the fundamental principles of the constitution, and a constant adherence to those of piety, justice, moderation, temperance, industry, and frugality, are absolutely necessary to preserve the advantages of liberty, and to maintain a free government. The people ought, consequently, to have a particular attention to all those principles, in the choice of their officers and representatives: and they have a right to require of their lawgivers and magistrates an exact and constant observance of them, in the formation and execution of the laws necessary for the good administration of the commonwealth.

Moral obliga-
tions of law-
givers and
magistrates.

Right of people
to instruct rep-
resentatives
and petition
legislature.

XIX. The people have a right, in an orderly and peaceable manner, to assemble to consult upon the common good; give instructions to their representatives, and to request of the legislative body, by the way of addresses, petitions, or remonstrances, redress of the wrongs done them, and of the grievances they suffer.

Right of peaceable assembly, not to be the subject of an initiative or referendum petition. See amendments, Art. XLVIII, The initiative, II, sect. 2.

Power to sus-
pend the laws
or their execu-
tion.

XX. The power of suspending the laws, or the execution of the laws, ought never to be exercised but by the legislature, or by authority derived from it, to be exer-

cised in such particular cases only as the legislature shall expressly provide for.

Modified by the popular initiative and referendum. See amendments, Art. XLVIII, I, Definition.

XXI. The freedom of deliberation, speech, and debate, in either house of the legislature, is so essential to the rights of the people, that it cannot be the foundation of any accusation or prosecution, action or complaint, in any other court or place whatsoever.

Freedom of debate, etc., and reason thereof.

Freedom of speech, not to be the subject of an initiative or referendum petition. See amendments, Art. XLVIII, The initiative, II, sect. 2.

XXII. The legislature ought frequently to assemble for the redress of grievances, for correcting, strengthening, and confirming the laws, and for making new laws, as the common good may require.

Frequent sessions, and objects thereof.

XXIII. No subsidy, charge, tax, impost, or duties ought to be established, fixed, laid, or levied, under any pretext whatsoever, without the consent of the people or their representatives in the legislature.

Taxation founded on consent.
8 Allen, 247.

XXIV. Laws made to punish for actions done before the existence of such laws, and which have not been declared crimes by preceding laws, are unjust, oppressive, and inconsistent with the fundamental principles of a free government.

Ex post facto laws prohibited.
12 Allen, 421,
424, 428, 434.

XXV. No subject ought, in any case, or in any time, to be declared guilty of treason or felony by the legislature.

Legislature not to convict of treason, etc.

XXVI. No magistrate or court of law shall demand excessive bail or sureties, impose excessive fines, or inflict cruel or unusual punishments.

Excessive bail or fines, and cruel punishments, prohibited.

5 Gray, 482.

Protection from unreasonable bail, not to be the subject of an initiative or referendum petition. See amendments, Art. XLVIII, The initiative, II, sect. 2.

XXVII. In time of peace, no soldier ought to be quartered in any house without the consent of the owner; and in time of war, such quarters ought not to be made but by the civil magistrate, in a manner ordained by the legislature.

No soldier to be quartered in any house, unless, etc.

XXVIII. No person can in any case be subject to law-martial, or to any penalties or pains, by virtue of that law, except those employed in the army or navy, and except the militia in actual service, but by authority of the legislature.

Citizens exempt from law-martial, unless, etc.

Protection from law-martial, not to be the subject of an initiative or referendum petition. See amendments, Art. XLVIII, The initiative, II, sect. 2.

Judges of supreme judicial court.

3 Pick. 471.
1 Gray, 472.
4 Allen, 591.
7 Allen, 385.
105 Mass. 219,
221, 225.

Salaries.

Separation of executive, judicial, and legislative departments.

2 Cush. 577.
2 Allen, 361.
8 Allen, 247, 253.
100 Mass. 282,
286.
114 Mass. 247,
249.

XXIX. It is essential to the preservation of the rights of every individual, his life, liberty, property, and character, that there be an impartial interpretation of the laws, and administration of justice. It is the right of every citizen to be tried by judges as free, impartial, and independent as the lot of humanity will admit. It is, therefore, not only the best policy, but for the security of the rights of the people, and of every citizen, that the judges of the supreme judicial court should hold their offices as long as they behave themselves well; and that they should have honorable salaries ascertained and established by standing laws.

Tenure of their office, not to be the subject of an initiative or referendum petition. See amendments, Art. XLVIII, The initiative, II, sect. 2, and The referendum, III, sect. 2.

XXX. In the government of this commonwealth, the legislative department shall never exercise the executive and judicial powers, or either of them: the executive shall never exercise the legislative and judicial powers, or either of them: the judicial shall never exercise the legislative and executive powers, or either of them: to the end it may be a government of laws and not of men.

116 Mass. 317.

129 Mass. 559.

For popular initiative and referendum, see amendments, Art. XLVIII.

For organization of executive, etc., work of the Commonwealth in not more than twenty departments, see amendments, Art. LXVI.

PART THE SECOND.

The Frame of Government.

Title of body politic.

The people, inhabiting the territory formerly called the Province of Massachusetts Bay, do hereby solemnly and mutually agree with each other, to form themselves into a free, sovereign, and independent body politic, or state, by the name of THE COMMONWEALTH OF MASSACHUSETTS.

CHAPTER I.

THE LEGISLATIVE POWER.

SECTION I.

The General Court.

Legislative department.

Article I. The department of legislation shall be formed by two branches, a Senate and House of Represent-

atives; each of which shall have a negative on the other.

The legislative body shall assemble every year [on the last Wednesday in May, and at such other times as they shall judge necessary; and shall dissolve and be dissolved on the day next preceding the said last Wednesday in May;] and shall be styled, THE GENERAL COURT OF MASSACHUSETTS.

For change of time, etc., see amendments, Art. X.

II. No bill or resolve of the senate or house of representatives shall become a law, and have force as such, until it shall have been laid before the governor for his revisal; and if he, upon such revision, approve thereof, he shall signify his approbation by signing the same. But if he have any objection to the passing of such bill or resolve, he shall return the same, together with his objections thereto, in writing, to the senate or house of representatives, in whichsoever the same shall have originated; who shall enter the objections sent down by the governor, at large, on their records, and proceed to reconsider the said bill or resolve. But if after such reconsideration, two-thirds of the said senate or house of representatives, shall, notwithstanding the said objections, agree to pass the same, it shall, together with the objections, be sent to the other branch of the legislature, where it shall also be reconsidered, and if approved by two-thirds of the members present, shall have the force of a law: but in all such cases, the votes of both houses shall be determined by yeas and nays; and the names of the persons voting for, or against, the said bill or resolve, shall be entered upon the public records of the commonwealth.

Governor's veto, 99 Mass. 636.

For right of governor to return bill or resolve for amendment, see amendments, Art. LVI.

For disapproval or reduction of items by the governor in bills appropriating money, see amendments, Art. LXIII, sect. 5. Bill may be passed by two-thirds of each house, notwithstanding.

And in order to prevent unnecessary delays, if any bill or resolve shall not be returned by the governor within five days after it shall have been presented, the same shall have the force of a law.

3 Mass. 567.

III. The general court shall forever have full power and authority to erect and constitute judicatories and courts of record, or other courts, to be held in the name of the commonwealth, for the hearing, trying, and determining of all manner of crimes, offences, pleas, processes, complaints, actions, matters, causes, and things, whatsoever, arising or happening within the commonwealth, or between or concerning persons inhabiting, or residing, or brought within the same: whether the same be criminal or civil, or whether the said crimes be capital or not capital, and

For exception in case of adjournment of the general court within the five days, see amendments, Art. I.

General court may constitute judicatories, courts of record, etc. 8 Gray, 1. 12 Gray, 147, 154. See amendments, Art. XLVIII, The initiative, II, sect. 2, and The referendum, III, sect. 2.

Courts, etc.,
may administer
oaths.

General court
may enact laws,
etc.

9 Gray, 426.
4 Allen, 473.
12 Allen, 223,
237.
100 Mass. 544,
557.
116 Mass. 467,
470.

For initiative
and refer-
endum, see
amendments,
Art. XLVIII.
General court
may enact
laws, etc., not
repugnant to
the constitu-
tion.

6 Allen, 358.
may provide
for the election
or appointment
of officers.
115 Mass. 602.

may prescribe
their duties.

may impose
taxes, etc.

See amend-
ments,
Arts. XLI and
XLIV.
12 Mass. 252.
5 Allen, 428.
6 Allen, 558.
8 Allen, 247, 253.
10 Allen, 235.
11 Allen, 268.
12 Allen, 77.
223, 235, 236,
240, 298, 300,
312, 313, 500, 612.
98 Mass. 19.
100 Mass. 285.
101 Mass. 575,
585.
103 Mass. 267.
114 Mass. 388,
391.
116 Mass. 461.
118 Mass. 386,
389.
123 Mass. 493,
495.
127 Mass. 413.

may impose
taxes, etc., to
be disposed of

whether the said pleas be real, personal, or mixed; and for the awarding and making out of execution thereupon. To which courts and judicatories are hereby given and granted full power and authority, from time to time, to administer oaths or affirmations, for the better discovery of truth in any matter in controversy or depending before them.

IV. And further, full power and authority are hereby given and granted to the said general court, from time to time to make, ordain, and establish, all manner of wholesome and reasonable orders, laws, statutes, and ordinances, directions and instructions, either with penalties or without; so as the same be not repugnant or contrary to this constitution, as they shall judge to be for the good and welfare of this commonwealth, and for the government and ordering thereof, and of the subjects of the same, and for the necessary support and defence of the government thereof; and to name and settle annually, or provide by fixed laws for the naming and settling, all civil officers within the said commonwealth, the election and constitution of whom are not hereafter in this form of government otherwise provided for; and to set forth the several duties, powers, and limits, of the several civil and military officers of this commonwealth, and the forms of such oaths or affirmations as shall be respectively administered unto them for the execution of their several offices and places, so as the same be not repugnant or contrary to this constitution; and to impose and levy proportional and reasonable assessments, rates, and taxes, upon all the inhabitants of, and persons resident, and estates lying, within the said commonwealth; and also to impose and levy reasonable duties and excises upon any produce, goods, wares, merchandise, and commodities, whatsoever, brought into, produced, manufactured, or being within the same; to be issued and disposed of by warrant, under the hand of the governor of this commonwealth for the time being, with the advice and consent of the council, for the public service, in the necessary defence and support of the government of the said commonwealth, and the protection and preservation of the subjects thereof, according to such acts as are or shall be in force within the same.

And while the public charges of government, or any part thereof, shall be assessed on polls and estates, in the

manner that has hitherto been practised, in order that such assessments may be made with equality, there shall be a valuation of estates within the commonwealth, taken anew once in every ten years at least, and as much oftener as the general court shall order.

For the authority of the general court to charter cities, see amendments, Art. II.

For the state wide referendum on bills and resolves of the general court, see amendments, Art. XLII. Art. XLII annulled by initiative and referendum amendment, see amendments, Art. XLVIII, The referendum, VIII.

For the power given the general court to provide by law for absentee and compulsory voting, see amendments, Arts. XLV and LXI.

For the power given the general court to determine the manner of providing and distributing the necessities of life, etc., during time of war, public distress, etc., by the commonwealth and the cities and towns therein, see amendments, Art. XLVII.

for defence, protection, etc. 8 Allen, 247, 256.

Valuation of estates once in ten years, at least, while, etc. 8 Allen, 247. 126 Mass. 547.

CHAPTER I.

SECTION II.

Senate.

Article I. [There shall be annually elected, by the freeholders and other inhabitants of this commonwealth, qualified as in this constitution is provided, forty persons to be councillors and senators for the year ensuing their election; to be chosen by the inhabitants of the districts into which the commonwealth may, from time to time, be divided by the general court for that purpose: and the general court, in assigning the numbers to be elected by the respective districts, shall govern themselves by the proportion of the public taxes paid by the said districts; and timely make known to the inhabitants of the commonwealth the limits of each district, and the number of councillors and senators to be chosen therein; provided, that the number of such districts shall never be less than thirteen; and that no district be so large as to entitle the same to choose more than six senators.]

Senate, number of, and by whom elected. Superseded by amendments, Art. XIII, which was also superseded by amendments, Art. XXII.

For provision as to councillors, see amendments, Art. XVI.

And the several counties in this commonwealth shall, until the general court shall determine it necessary to alter the said districts, be districts for the choice of councillors and senators, (except that the counties of Dukes County and Nantucket shall form one district for that purpose) and shall elect the following number for councillors and senators, viz.:—Suffolk, six; Essex, six; Middlesex, five; Hampshire, four; Plymouth, three; Barnstable, one; Bristol, three; York, two; Dukes County and Nantucket, one; Worcester, five; Cumberland, one; Lincoln, one; Berkshire, two.]

Counties to be districts, until, etc.

Manner and time of choosing senators and councillors.

See amendments, Arts. X, XV, XLV and LXIV, sect. 1.

As to cities, see amendments, Art. II.

Provisions as to qualifications of voters, superseded by

amendments, Arts. III, XX, XXVIII, XXX, XXXI and XXXII.

Word "inhabitant" defined.

See also amendments, Art. XXIII, which was annulled by Art. XXVI. 12 Gray, 21. 122 Mass. 595, 597.

II. The senate shall be the first branch of the legislature; and the senators shall be chosen in the following manner, viz.: there shall be a meeting on the [first Monday in April,] [annually,] forever, of the inhabitants of each town in the several counties of this commonwealth; to be called by the selectmen, and warned in due course of law, at least seven days before the [first Monday in April,] for the purpose of electing persons to be senators and councillors; [and at such meetings every male inhabitant of twenty-one years of age and upwards, having a freehold estate within the commonwealth, of the annual income of three pounds, or any estate of the value of sixty pounds, shall have a right to give in his vote for the senators for the district of which he is an inhabitant.] And to remove all doubts concerning the meaning of the word "inhabitant" in this constitution, every person shall be considered as an inhabitant, for the purpose of electing and being elected into any office, or place within this state, in that town, district, or plantation where he dwelleth, or hath his home.

Selectmen to preside at town meetings.

Return of votes.

As to cities, see amendments, Art. II.

Time changed to first Wednesday of January. See amendments, Art. X.

The selectmen of the several towns shall preside at such meetings impartially; and shall receive the votes of all the inhabitants of such towns present and qualified to vote for senators, and shall sort and count them in open town meeting, and in presence of the town clerk, who shall make a fair record, in presence of the selectmen, and in open town meeting, of the name of every person voted for, and of the number of votes against his name: and a fair copy of this record shall be attested by the selectmen and the town clerk, and shall be sealed up, directed to the secretary of the commonwealth for the time being, with a superscription, expressing the purport of the contents thereof, and delivered by the town clerk of such towns, to the sheriff of the county in which such town lies, thirty days at least before [the last Wednesday in May] [annually,] or it shall be delivered into the secretary's office seventeen days at least before the said [last Wednesday in May:] and the sheriff of each county shall deliver all such certificates by him received, into the secretary's office, seventeen days before the said [last Wednesday in May.]

Inhabitants of unincorporated plantations, who pay state taxes, may vote.

[And the inhabitants of plantations unincorporated, qualified as this constitution provides, who are or shall be empowered and required to assess taxes upon themselves toward the support of government, shall have the

same privilege of voting for councillors and senators in the plantations where they reside, as town inhabitants have in their respective towns; and the plantation meetings for that purpose shall be held annually [on the same first Monday in April], at such place in the plantations, respectively, as the assessors thereof shall direct; which assessors shall have like authority for notifying the electors, collecting and returning the votes, as the selectmen and town clerks have in their several towns, by this constitution. And all other persons living in places unincorporated (qualified as aforesaid) who shall be assessed to the support of government by the assessors of an adjacent town, shall have the privilege of giving in their votes for councillors and senators in the town where they shall be assessed, and be notified of the place of meeting by the selectmen of the town where they shall be assessed, for that purpose, accordingly.]

Plantation meetings.
Time of election changed by amendments, Art. XV.
Assessors to notify, etc.

III. And that there may be a due convention of senators on the [last Wednesday in May] annually, the governor with five of the council, for the time being, shall, as soon as may be, examine the returned copies of such records; and fourteen days before the said day he shall issue his summons to such persons as shall appear to be chosen by [a majority of] voters, to attend on that day, and take their seats accordingly: provided, nevertheless, that for the first year the said returned copies shall be examined by the president and five of the council of the former constitution of government; and the said president shall, in like manner, issue his summons to the persons so elected, that they may take their seats as aforesaid.

Governor and council to examine and count votes, and issue summonses.
Time changed to first Wednesday in January by amendments, Art. X.
Majority changed to plurality by amendments, Art. XIV.

IV. The senate shall be the final judge of the elections, returns and qualifications of their own members, as pointed out in the constitution; and shall, [on the said last Wednesday in May] [annually,] determine and declare who are elected by each district to be senators [by a majority of votes; and in case there shall not appear to be the full number of senators returned elected by a majority of votes for any district, the deficiency shall be supplied in the following manner, viz.: The members of the house of representatives, and such senators as shall be declared elected, shall take the names of such persons as shall be found to have the highest number of votes in such district, and not elected, amounting to twice the number of senators wanting, if there be so many voted for; and out of these shall elect by ballot a number of senators sufficient to fill up the vacan-

Senate to be final judge of elections, etc., of its own members.
Time changed to first Wednesday of January by amendments, Art. X.
Majority changed to plurality by amendments, Art. XIV.

Vacancies, how filled.
Changed to election by people.
See amendments, Art. XXIV.

Qualifications of a senator.
Property qualification abolished.
See amendments, Art. XIII.

For further provision as to residence, see also amendments, Art. XXII.

Senate not to adjourn more than two days.
See amendments, Art. LII.

shall choose its officers and establish its rules.

shall try all impeachments.

Oath.

Limitation of sentence.

Quorum.
See amendments, Arts. XXII and XXXIII.

Representation of the people.

cies in such district; and in this manner all such vacancies shall be filled up in every district of the commonwealth; and in like manner all vacancies in the senate, arising by death, removal out of the state, or otherwise, shall be supplied as soon as may be, after such vacancies shall happen.]

V. Provided, nevertheless, that no person shall be capable of being elected as a senator, [who is not seised in his own right of a freehold, within this commonwealth, of the value of three hundred pounds at least, or possessed of personal estate to the value of six hundred pounds at least, or of both to the amount of the same sum, and] who has not been an inhabitant of this commonwealth for the space of five years immediately preceding his election, and, at the time of his election, he shall be an inhabitant in the district for which he shall be chosen.

VI. The senate shall have power to adjourn themselves, provided such adjournments do not exceed two days at a time.

VII. The senate shall choose its own president, appoint its own officers, and determine its own rules of proceedings.

VIII. The senate shall be a court with full authority to hear and determine all impeachments made by the house of representatives, against any officer or officers of the commonwealth, for misconduct and mal-administration in their offices. But previous to the trial of every impeachment the members of the senate shall respectively be sworn, truly and impartially to try and determine the charge in question, according to evidence. Their judgment, however, shall not extend further than to removal from office and disqualification to hold or enjoy any place of honor, trust, or profit, under this commonwealth; but the party so convicted shall be, nevertheless, liable to indictment, trial, judgment, and punishment, according to the laws of the land.

IX. [Not less than sixteen members of the senate shall constitute a quorum for doing business.]

CHAPTER I.

SECTION III.

House of Representatives.

Article I. There shall be, in the legislature of this commonwealth, a representation of the people, annually elected, and founded upon the principle of equality.

For change to biennial elections, see amendments, Art. LXIV, sect. 1.

II. [And in order to provide for a representation of the citizens of this commonwealth, founded upon the principle of equality, every corporate town containing one hundred and fifty ratable polls may elect one representative; every corporate town containing three hundred and seventy-five ratable polls may elect two representatives; every corporate town containing six hundred ratable polls may elect three representatives; and proceeding in that manner, making two hundred and twenty-five ratable polls the mean increasing number for every additional representative.]

Representatives, by whom chosen.
Superseded by amendments, Arts. XII and XIII, which were also superseded by amendments, Art. XXI.
7 Mass. 523.

Provided, nevertheless, that each town now incorporated, not having one hundred and fifty ratable polls, may elect one representative; but no place shall hereafter be incorporated with the privilege of electing a representative, unless there are within the same one hundred and fifty ratable polls.]

Proviso as to towns having less than 150 ratable polls.

And the house of representatives shall have power from time to time to impose fines upon such towns as shall neglect to choose and return members to the same, agreeably to this constitution.

Towns liable to fine in case, etc.

[The expenses of travelling to the general assembly, and returning home, once in every session, and no more, shall be paid by the government, out of the public treasury, to every member who shall attend as seasonably as he can, in the judgment of the house, and does not depart without leave.]

Expenses of travelling to and from the general court, how paid.
Annulled by Art. XXXV.

III. Every member of the house of representatives shall be chosen by written votes; [and, for one year at least next preceding his election, shall have been an inhabitant of, and have been seised in his own right of a freehold of the value of one hundred pounds within the town he shall be chosen to represent, or any ratable estate to the value of two hundred pounds; and he shall cease to represent the said town immediately on his ceasing to be qualified as aforesaid.]

Qualifications of a representative.
New provision as to residence.
See amendments, Art. XXI.
Property qualifications abolished by amendments, Art. XIII.

IV. [Every male person, being twenty-one years of age, and resident in any particular town in this commonwealth for the space of one year next preceding, having a freehold estate within the said town of the annual income of three pounds, or any estate of the value of sixty pounds, shall have a right to vote in the choice of a representative or representatives for the said town.]

Qualifications of a voter.
These provisions superseded by amendments, Arts. III, XX, XXVIII, XXX, XXXI, XXXII and XLV.

See also amendments, Art. XXIII, which was annulled by Art. XXVI.

V. [The members of the house of representatives shall be chosen annually in the month of May, ten days at least before the last Wednesday of that month.]

Representatives, when chosen.

Time of election changed by amendments, Art. X, and changed again by amendments, Art. XV.

House alone
can impeach.

VI. The house of representatives shall be the grand inquest of this commonwealth; and all impeachments made by them shall be heard and tried by the senate.

House to originate all money bills.

VII. All money bills shall originate in the house of representatives; but the senate may propose or concur with amendments, as on other bills.

Not to adjourn more than two days.
See amendments, Art. LII.

VIII. The house of representatives shall have power to adjourn themselves; provided such adjournment shall not exceed two days at a time.

Quorum.
See amendments, Arts. XXI and XXXIII.

IX. [Not less than sixty members of the house of representatives shall constitute a quorum for doing business.]

To judge of returns, etc., of its own members; to choose its officers and establish its rules, etc.
May punish for certain offences.
14 Gray, 226.

X. The house of representatives shall be the judge of the returns, elections, and qualifications of its own members, as pointed out in the constitution; shall choose their own speaker; appoint their own officers, and settle the rules and orders of proceeding in their own house. They shall have authority to punish by imprisonment every person, not a member, who shall be guilty of disrespect to the house, by any disorderly or contemptuous behavior in its presence; or who, in the town where the general court is sitting, and during the time of its sitting, shall threaten harm to the body or estate of any of its members, for any thing said or done in the house; or who shall assault any of them therefor; or who shall assault, or arrest, any witness, or other person, ordered to attend the house, in his way in going or returning; or who shall rescue any person arrested by the order of the house.

Privileges of members.

And no member of the house of representatives shall be arrested, or held to bail on mesne process, during his going unto, returning from, or his attending the general assembly.

Senate.
Governor and council may punish.
General limitation.
14 Gray, 226.

XI. The senate shall have the same powers in the like cases; and the governor and council shall have the same authority to punish in like cases: provided, that no imprisonment on the warrant or order of the governor, council, senate, or house of representatives, for either of the above described offences, be for a term exceeding thirty days.

Trial may be by committee, or otherwise.

And the senate and house of representatives may try and determine all cases where their rights and privileges are concerned, and which, by the constitution, they have authority to try and determine, by committees of their own members, or in such other way as they may respectively think best.

CHAPTER II.

EXECUTIVE POWER.

SECTION I.

Governor.

Article I. There shall be a supreme executive mag- Governor.
istrate, who shall be styled — THE GOVERNOR OF THE
COMMONWEALTH OF MASSACHUSETTS; and whose title His title.
shall be — HIS EXCELLENCY.

II. The governor shall be chosen [annually;] and no per- To be chosen
annually.
For change to
biennial elec-
tions, see
amendments,
Art. LXIV,
sects. 1-4.
Qualifications.
See amend-
ments, Arts.
VII and
XXXIV.
son shall be eligible to this office, unless, at the time of his
election, he shall have been an inhabitant of this common-
wealth for seven years next preceding; [and unless he shall
at the same time be seised, in his own right, of a freehold,
within the commonwealth, of the value of one thousand
pounds;] [and unless he shall declare himself to be of the
Christian religion.]

III. Those persons who shall be qualified to vote for By whom
chosen, if he
have a major-
ity of votes.
See amend-
ments, Art.
XLV.
Time of elec-
tion changed
by amend-
ments, Art.
X, and
changed again
by amend-
ments, Art.
XV.
senators and representatives within the several towns of
this commonwealth shall, at a meeting to be called for that
purpose, on the [first Monday of April] [annually,] give in
their votes for a governor, to the selectmen, who shall preside
at such meetings; and the town clerk, in the presence and
with the assistance of the selectmen, shall, in open town
meeting, sort and count the votes, and form a list of the
persons voted for, with the number of votes for each person
against his name; and shall make a fair record of the same
in the town books, and a public declaration thereof in the
said meeting; and shall, in the presence of the inhabitants,
seal up copies of the said list, attested by him and the
selectmen, and transmit the same to the sheriff of the
county, thirty days at least before the [last Wednesday in
May]; and the sheriff shall transmit the same to the secre-
tary's office, seventeen days at least before the said [last
Wednesday in May]; or the selectmen may cause returns of
the same to be made to the office of the secretary of the
commonwealth, seventeen days at least before the said day;
and the secretary shall lay the same before the senate and
the house of representatives on the [last Wednesday in May],
to be by them examined; and in case of an election by a As to cities, see
amendments,
Art. II.

Time changed
to first
Wednesday of
January by
amendments,
Art. X.

Changed to
plurality by
amendments,
Art. XIV.
[majority] of all the votes returned, the choice shall be by

How chosen,
when no per-
son has a
plurality.

them declared and published; but if no person shall have a [majority] of votes, the house of representatives shall, by ballot, elect two out of four persons who had the highest number of votes, if so many shall have been voted for; but, if otherwise, out of the number voted for; and make return to the senate of the two persons so elected; on which the senate shall proceed, by ballot, to elect one, who shall be declared governor.

Power of gov-
ernor, and of
governor and
council.

IV. The governor shall have authority, from time to time, at his discretion, to assemble and call together the councillors of this commonwealth for the time being; and the governor with the said councillors, or five of them at least, shall, and may, from time to time, hold and keep a council, for the ordering and directing the affairs of the commonwealth, agreeably to the constitution and the laws of the land.

May adjourn
or prorogue the
general court
upon request,
and convene
the same.
As to dissolu-
tion, see
amendments,
Art. X.

V. The governor, with advice of council, shall have full power and authority, during the session of the general court, to adjourn or prorogue the same to any time the two houses shall desire; [and to dissolve the same on the day next preceding the last Wednesday in May; and, in the recess of the said court, to prorogue the same from time to time, not exceeding ninety days in any one recess;] and to call it together sooner than the time to which it may be adjourned or prorogued, if the welfare of the commonwealth shall require the same; and in case of any infectious distemper prevailing in the place where the said court is next at any time to convene, or any other cause happening, whereby danger may arise to the health or lives of the members from their attendance, he may direct the session to be held at some other, the most convenient place within the state.

As to dissolu-
tion, see
amendments,
Art. X.

[And the governor shall dissolve the said general court on the day next preceding the last Wednesday in May.]

Governor and
council may
adjourn the
general court
in cases, etc.,
but not ex-
ceeding ninety
days.

VI. In cases of disagreement between the two houses, with regard to the necessity, expediency, or time of adjournment or prorogation, the governor, with advice of the council, shall have a right to adjourn or prorogue the general court, not exceeding ninety days, as he shall determine the public good shall require.

Governor to be
commander-in-
chief.
This article
annulled and
superseded by
amendments,
Art. LIV.

VII. [The governor of this commonwealth, for the time being, shall be the commander-in-chief of the army and navy, and of all the military forces of the state, by sea and land; and shall have full power, by himself, or by any commander, or other officer or officers, from time to time, to train, instruct, exercise, and govern the militia and navy;

and, for the special defence and safety of the commonwealth, to assemble in martial array, and put in warlike posture, the inhabitants thereof, and to lead and conduct them, and with them to encounter, repel, resist, expel, and pursue, by force of arms, as well by sea as by land, within or without the limits of this commonwealth, and also to kill, slay, and destroy, if necessary, and conquer, by all fitting ways, enterprises, and means whatsoever, all and every such person and persons as shall, at any time hereafter, in a hostile manner, attempt or enterprise the destruction, invasion, detriment, or annoyance of this commonwealth; and to use and exercise, over the army and navy, and over the militia in actual service, the law-martial, in time of war or invasion, and also in time of rebellion, declared by the legislature to exist, as occasion shall necessarily require; and to take and surprise, by all ways and means whatsoever, all and every such person or persons, with their ships, arms, ammunition, and other goods, as shall, in a hostile manner, invade, or attempt the invading, conquering, or annoying this commonwealth; and that the governor be intrusted with all these and other powers, incident to the offices of captain-general and commander-in-chief, and admiral, to be exercised agreeably to the rules and regulations of the constitution, and the laws of the land, and not otherwise.

Provided, that the said governor shall not, at any time hereafter, by virtue of any power by this constitution granted, or hereafter to be granted to him by the legislature, transport any of the inhabitants of this commonwealth, or oblige them to march out of the limits of the same, without their free and voluntary consent, or the consent of the general court; except so far as may be necessary to march or transport them by land or water, for the defence of such part of the state to which they cannot otherwise conveniently have access.] Limitation.

VIII. The power of pardoning offences, except such as persons may be convicted of before the senate by an impeachment of the house, shall be in the governor, by and with the advice of council; but no charter of pardon, granted by the governor, with advice of the council before conviction, shall avail the party pleading the same, notwithstanding any general or particular expressions contained therein, descriptive of the offence or offences intended to be pardoned. Governor and council may pardon offences, except, etc.
But not before conviction.
109 Mass. 323.

IX. All judicial officers, [the attorney-general,] the solicitor-general, [all sheriffs,] coroners, [and registers of pro- Judicial officers, etc., how nominated and appointed.

For provisions as to election of attorney-general, see amendments, Arts. XVII and LXIV, sect. 1.

bate,] shall be nominated and appointed by the governor, by and with the advice and consent of the council; and every such nomination shall be made by the governor, and made at least seven days prior to such appointment.

For provision as to election of sheriffs, registers of probate, etc., see amendments, Art. XIX.

For provision as to appointment of notaries public, see amendments, Arts. IV. and LVII.

Appointment, tenure, etc., of judges not to be the subject of an initiative or referendum petition; see amendments, Art. XLVIII, The initiative, II, sect. 2, and The referendum, III, sect. 2.

Militia officers, how elected. Limitation of age struck out by amendments, Art. V. This article annulled and superseded by amendments, Art. LIII.

X. [The captains and subalterns of the militia shall be elected by the written votes of the train-band and alarm list of their respective companies, [of twenty-one years of age and upwards;] the field officers of regiments shall be elected by the written votes of the captains and subalterns of their respective regiments; the brigadiers shall be elected, in like manner, by the field officers of their respective brigades; and such officers, so elected, shall be commissioned by the governor, who shall determine their rank.

How commissioned.

Election of officers.

The legislature shall, by standing laws, direct the time and manner of convening the electors, and of collecting votes, and of certifying to the governor, the officers elected.

Major-generals, how appointed and commissioned.

The major-generals shall be appointed by the senate and house of representatives, each having a negative upon the other; and be commissioned by the governor.

For provisions as to appointment of a commissary general, see amendments, Art. IV.

Vacancies, how filled, in case, etc.

And if the electors of brigadiers, field officers, captains or subalterns, shall neglect or refuse to make such elections, after being duly notified, according to the laws for the time being, then the governor, with advice of council, shall appoint suitable persons to fill such offices.

Officers duly commissioned, how removed. Superseded by amendments, Art. IV.

[And no officer, duly commissioned to command in the militia, shall be removed from his office, but by the address of both houses to the governor, or by fair trial in court-martial, pursuant to the laws of the commonwealth for the time being.]

Adjutants, etc., how appointed.

The commanding officers of regiments shall appoint their adjutants and quartermasters; the brigadiers their brigade-majors; and the major-generals their aids; and the governor shall appoint the adjutant-general.

Army officers, how appointed.

The governor, with advice of council, shall appoint all officers of the continental army, whom by the confederation of the United States it is provided that this commonwealth shall appoint, as also all officers of forts and garrisons.

Organization of militia.

The divisions of the militia into brigades, regiments, and companies, made in pursuance of the militia laws now in

force, shall be considered as the proper divisions of the militia of this commonwealth, until the same shall be altered in pursuance of some future law.]

XI. No moneys shall be issued out of the treasury of this commonwealth, and disposed of (except such sums as may be appropriated for the redemption of bills of credit or treasurer's notes, or for the payment of interest arising thereon) but by warrant under the hand of the governor for the time being, with the advice and consent of the council, for the necessary defence and support of the commonwealth; and for the protection and preservation of the inhabitants thereof, agreeably to the acts and resolves of the general court.

Certain appropriations of money from treasury not to be subjects of initiative or referendum petition. See amendments, Art. XLVIII, The initiative, II, sect. 2, and The referendum, III, sect. 2.

XII. All public boards, the commissary-general, all superintending officers of public magazines and stores, belonging to this commonwealth, and all commanding officers of forts and garrisons within the same, shall once in every three months, officially, and without requisition, and at other times, when required by the governor, deliver to him an account of all goods, stores, provisions, ammunition, cannon with their appendages, and small arms with their accoutrements, and of all other public property whatever under their care respectively; distinguishing the quantity, number, quality and kind of each, as particularly as may be; together with the condition of such forts and garrisons; and the said commanding officer shall exhibit to the governor, when required by him, true and exact plans of such forts, and of the land and sea or harbor or harbors, adjacent.

And the said boards, and all public officers, shall communicate to the governor, as soon as may be after receiving the same, all letters, despatches, and intelligences of a public nature, which shall be directed to them respectively.

XIII. As the public good requires that the governor should not be under the undue influence of any of the members of the general court by a dependence on them for his support, that he should in all cases act with freedom for the benefit of the public, that he should not have his attention necessarily diverted from that object to his private concerns, and that he should maintain the dignity of the commonwealth in the character of its chief magistrate, it is necessary that he should have an honorable stated salary, of a fixed and permanent value, amply sufficient for those purposes,

Money, how drawn from the treasury, except, etc. 13 Allen, 593.

All public boards, etc., to make quarterly returns.

Salary of governor.

and established by standing laws: and it shall be among the first acts of the general court, after the commencement of this constitution, to establish such salary by law accordingly.

Salaries of justices of supreme judicial court.

Permanent and honorable salaries shall also be established by law for the justices of the supreme judicial court.

Compensation of judges not to be the subject of an initiative or referendum petition; see amendments, Art. XLVIII, The initiative, II, sect. 2, and The referendum, III, sect. 2.

Salaries to be enlarged if insufficient.

And if it shall be found that any of the salaries aforesaid, so established, are insufficient, they shall, from time to time, be enlarged, as the general court shall judge proper.

CHAPTER II.

SECTION II.

Lieutenant-Governor.

Lieutenant-governor; his title and qualifications. See amendments, Arts. VII and XXXIV.

For change to biennial elections, see amendments, Art. LXIV, sect. 1.

How chosen. Election by plurality provided for by amendments, Art. XIV.

President of council. Lieutenant-governor a member of, except, etc.

Lieutenant-governor to be acting governor, in case, etc. See amendments, Art. LV.

Article I. There shall be [annually] elected a lieutenant-governor of the commonwealth of Massachusetts, whose title shall be — HIS HONOR; and who shall be qualified, in point of [religion,] [property,] and residence in the commonwealth, in the same manner with the governor; and the day and manner of his election, and the qualifications of the electors, shall be the same as are required in the election of a governor. The return of the votes for this officer, and the declaration of his election, shall be in the same manner; and if no one person shall be found to have [a majority] of all the votes returned, the vacancy shall be filled by the senate and house of representatives, in the same manner as the governor is to be elected, in case no one person shall have [a majority] of the votes of the people to be governor.

II. The governor, and in his absence the lieutenant-governor, shall be president of the council, but shall have no vote in council; and the lieutenant-governor shall always be a member of the council, except when the chair of the governor shall be vacant.

III. Whenever the chair of the governor shall be vacant, by reason of his death, or absence from the commonwealth, or otherwise, the lieutenant-governor, for the time being, shall, during such vacancy, perform all the duties incumbent upon the governor, and shall have and exercise all the powers and authorities, which by this constitution the governor is vested with, when personally present.

CHAPTER II.

SECTION III.

Council, and the Manner of settling Elections by the Legislature.

Article I. There shall be a council for advising the governor in the executive part of the government, to consist of [nine] persons besides the lieutenant-governor, whom the governor, for the time being, shall have full power and authority, from time to time, at his discretion, to assemble and call together; and the governor, with the said councillors, or five of them at least, shall and may, from time to time, hold and keep a council, for the ordering and directing the affairs of the commonwealth, according to the laws of the land.

Council.
Number of
councillors
changed to
eight.
See amend-
ments, Art.
XVI.

II. [Nine councillors shall be annually chosen from among the persons returned for councillors and senators, on the last Wednesday in May, by the joint ballot of the senators and representatives assembled in one room; and in case there shall not be found upon the first choice, the whole number of nine persons who will accept a seat in the council, the deficiency shall be made up by the electors aforesaid from among the people at large; and the number of senators left shall constitute the senate for the year. The seats of the persons thus elected from the senate, and accepting the trust, shall be vacated in the senate.]

Number; from
whom, and
how chosen.
Modified by
amendments,
Arts. X and
XIII.
Superseded by
amendments,
Art. XVI.

If senators be-
come council-
lors, their seats
to be vacated.

III. The councillors, in the civil arrangements of the commonwealth, shall have rank next after the lieutenant-governor.

Rank of
councillors.

IV. [Not more than two councillors shall be chosen out of any one district of this commonwealth.]

No district to
have more
than two.

Superseded by amendments, Art. XVI.

V. The resolutions and advice of the council shall be recorded in a register, and signed by the members present; and this record may be called for at any time by either house of the legislature; and any member of the council may insert his opinion, contrary to the resolution of the majority.

Register of
council.

VI. [Whenever the office of the governor and lieutenant-governor shall be vacant, by reason of death, absence, or otherwise, then the council, or the major part of them, shall, during such vacancy, have full power and authority to do, and execute, all and every such acts, matters, and things, as the governor or the lieutenant-governor might or could, by

Council to
exercise the
power of gov-
ernor in case,
etc.
This article
annulled and
superseded by
amendments,
Art. LV.

virtue of this constitution, do or execute, if they, or either of them, were personally present.]

Elections may be adjourned until, etc.

Order thereof. Superseded by amendments, Arts. XVI and XXV.

VII. [And whereas the elections appointed to be made, by this constitution, on the [last Wednesday in May annually,] by the two houses of the legislature, may not be completed on that day, the said elections may be adjourned from day to day until the same shall be completed. And the order of elections shall be as follows: [the vacancies in the senate, if any, shall first be filled up;] the governor and lieutenant-governor shall then be elected, provided there should be no choice of them by the people; and afterwards the two houses shall proceed to the election of the council.]

CHAPTER II.

SECTION IV.

Secretary, Treasurer, Commissary, etc.

Secretary, etc., by whom and how chosen. For provision as to election of secretary, treasurer and receiver-general, auditor and attorney-general, see amendments, Arts. XVII and LXIV, sect. 1. Treasurer ineligible for more than five successive years.

Article I. [The secretary, treasurer and receiver-general, and the commissary-general, notaries public, and naval officers, shall be chosen annually, by joint ballot of the senators and representatives in one room. And, that the citizens of this commonwealth may be assured, from time to time, that the moneys remaining in the public treasury, upon the settlement and liquidation of the public accounts, are their property, no man shall be eligible as treasurer and receiver-general more than five years successively.]

For provision as to appointment of notaries public and the commissary-general, see amendments, Arts. IV and LVII.

Treasurer and receiver-general ineligible to election for more than three successive terms. See amendments, Art. LXIV, sect. 2.

Secretary to keep records; to attend the governor and council, etc.

II. The records of the commonwealth shall be kept in the office of the secretary, who may appoint his deputies, for whose conduct he shall be accountable; and he shall attend the governor and council, the senate and house of representatives, in person, or by his deputies, as they shall respectively require.

CHAPTER III.

JUDICIARY POWER.

Tenure of all commissioned officers to be expressed. Judicial officers to hold office

Article I. The tenure, that all commission officers shall by law have in their offices, shall be expressed in their respective commissions. All judicial officers, duly ap-

pointed, commissioned and sworn, shall hold their offices during good behavior, excepting such concerning whom there is different provision made in this constitution: provided, nevertheless, the governor, with consent of the council, may remove them upon the address of both houses of the legislature.

For tenure, etc., of judges, see amendments, Art. XLVIII, The initiative, II, sect. 2, and The referendum, III, sect. 2.

For retirement of judicial officers, see amendments, Art. LVIII.

II. Each branch of the legislature, as well as the governor and council, shall have authority to require the opinions of the justices of the supreme judicial court, upon important questions of law, and upon solemn occasions.

Justices of supreme judicial court to give opinions when required.
122 Mass. 600.
126 Mass. 557, 561.

III. In order that the people may not suffer from the long continuance in place of any justice of the peace who shall fail of discharging the important duties of his office with ability or fidelity, all commissions of justices of the peace shall expire and become void, in the term of seven years from their respective dates; and, upon the expiration of any commission, the same may, if necessary, be renewed, or another person appointed, as shall most conduce to the well-being of the commonwealth.

Justices of the peace; tenure of their office.
3 Cush. 584.

IV. The judges of probate of wills, and for granting letters of administration, shall hold their courts at such place or places, on fixed days, as the convenience of the people shall require; and the legislature shall, from time to time, hereafter, appoint such times and places; until which appointments, the said courts shall be holden at the times and places which the respective judges shall direct.

For removal of justices of the peace, see amendments, Art. XXXVII.

Provisions for holding probate courts.
12 Gray, 147.

V. All causes of marriage, divorce, and alimony, and all appeals from the judges of probate, shall be heard and determined by the governor and council, until the legislature shall, by law, make other provision.

116 Mass. 317.

Marriage, divorce, and alimony. Other provisions made by law.
105 Mass. 327.

CHAPTER IV.

DELEGATES TO CONGRESS.

[The delegates of this commonwealth to the congress of the United States, shall, some time in the month of June, annually, be elected by the joint ballot of the senate and house of representatives, assembled together in one room; to serve in congress for one year, to commence on the first Monday in November then next ensuing. They shall have

Delegates to congress.

commissions under the hand of the governor, and the great seal of the commonwealth; but may be recalled at any time within the year, and others chosen and commissioned, in the same manner, in their stead.]

CHAPTER V.

THE UNIVERSITY AT CAMBRIDGE, AND ENCOURAGEMENT OF LITERATURE, ETC.

SECTION I.

The University.

Harvard
College.

Article I. Whereas our wise and pious ancestors, so early as the year one thousand six hundred and thirty-six, laid the foundation of Harvard College, in which university many persons of great eminence have, by the blessing of GOD, been initiated in those arts and sciences which qualified them for public employments, both in church and state; and whereas the encouragement of arts and sciences, and all good literature, tends to the honor of GOD, the advantage of the Christian religion, and the great benefit of this and the other United States of America, — it is declared, that the PRESIDENT AND FELLOWS OF HARVARD COLLEGE, in their corporate capacity, and their successors in that capacity, their officers and servants, shall have, hold, use, exercise, and enjoy, all the powers, authorities, rights, liberties, privileges, immunities, and franchises, which they now have, or are entitled to have, hold, use, exercise, and enjoy; and the same are hereby ratified and confirmed unto them, the said president and fellows of Harvard College, and to their successors, and to their officers and servants, respectively, forever.

Powers, privi-
leges, etc., of
the president
and fellows,
confirmed.

II. And whereas there have been at sundry times, by divers persons, gifts, grants, devises of houses, lands, tenements, goods, chattels, legacies, and conveyances, heretofore made, either to Harvard College in Cambridge, in New England, or to the president and fellows of Harvard College, or to the said college by some other description, under several charters, successively; it is declared, that all the said gifts, grants, devises, legacies, and conveyances, are hereby forever confirmed unto the president and fellows of Harvard College, and to their successors in the capacity

All gifts,
grants, etc.,
confirmed.

aforesaid, according to the true intent and meaning of the donor or donors, grantor or grantors, devisor or devisors.

III. [And whereas, by an act of the general court of the colony of Massachusetts Bay, passed in the year one thousand six hundred and forty-two, the governor and deputy-governor, for the time being, and all the magistrates of that jurisdiction, were, with the president, and a number of the clergy in the said act described, constituted the overseers of Harvard College; and it being necessary, in this new constitution of government to ascertain who shall be deemed successors to the said governor, deputy-governor, and magistrates; it is declared, that the governor, lieutenant-governor, council, and senate of this commonwealth, are, and shall be deemed, their successors, who, with the president of Harvard College, for the time being, together with the ministers of the congregational churches in the towns of Cambridge, Watertown, Charlestown, Boston, Roxbury, and Dorchester, mentioned in the said act, shall be, and hereby are, vested with all the powers and authority belonging, or in any way appertaining to the overseers of Harvard College; provided, that] nothing herein shall be construed to prevent the legislature of this commonwealth from making such alterations in the government of the said university, as shall be conducive to its advantage, and the interest of the republic of letters, in as full a manner as might have been done by the legislature of the late Province of the Massachusetts Bay.

Who shall be overseers.

See Statutes,
1851, 224.
1852, 27.
1859, 212.
1865, 173.
1880, 65, 114.
1889, 104, 132.
1894, 166.
1895, 45.
1896, 191.
1901, 187, 488.
1902, 243.
1910, 113.
1914, 593.

Power of alteration reserved to the legislature.

CHAPTER V.

SECTION II.

The Encouragement of Literature, etc.

Wisdom and knowledge, as well as virtue, diffused generally among the body of the people, being necessary for the preservation of their rights and liberties; and as these depend on spreading the opportunities and advantages of education in the various parts of the country, and among the different orders of the people, it shall be the duty of legislatures and magistrates, in all future periods of this commonwealth, to cherish the interests of literature and the sciences, and all seminaries of them; especially the university at Cambridge, public schools and grammar schools in the towns; to encourage private societies and public institutions, rewards and

Duty of legislatures and magistrates in all future periods. For further provisions as to public schools, see amendments, Arts. XVIII and XLVI.
12 Allen, 500-503.
103 Mass. 94, 97.

immunities, for the promotion of agriculture, arts, sciences, commerce, trades, manufactures, and a natural history of the country; to countenance and inculcate the principles of humanity and general benevolence, public and private charity, industry and frugality, honesty and punctuality in their dealings; sincerity, good humor, and all social affections, and generous sentiments, among the people.

CHAPTER VI.

OATHS AND SUBSCRIPTIONS; INCOMPATIBILITY OF AND EXCLUSION FROM OFFICES; PECUNIARY QUALIFICATIONS; COMMISSIONS; WRITS; CONFIRMATION OF LAWS; HABEAS CORPUS; THE ENACTING STYLE; CONTINUANCE OF OFFICERS; PROVISION FOR A FUTURE REVIVAL OF THE CONSTITUTION, ETC.

Oaths, etc.

Article I. [Any person chosen governor, lieutenant-governor, councillor, senator, or representative, and accepting the trust, shall, before he proceed to execute the duties of his place or office, make and subscribe the following declaration, viz.:

“I, A. B., do declare, that I believe the Christian religion, and have a firm persuasion of its truth; and that I am seised and possessed, in my own right, of the property required by the constitution, as one qualification for the office or place to which I am elected.”

And the governor, lieutenant-governor, and councillors, shall make and subscribe the said declaration, in the presence of the two houses of assembly; and the senators and representatives, first elected under this constitution, before the president and five of the council of the former constitution; and forever afterwards before the governor and council for the time being.]

And every person chosen to either of the places or offices aforesaid, as also any person appointed or commissioned to any judicial, executive, military, or other office under the government, shall, before he enters on the discharge of the business of his place or office, take and subscribe the following declaration, and oaths or affirmations, viz.:

[“I, A. B., do truly and sincerely acknowledge, profess, testify, and declare, that the Commonwealth of Massachusetts is, and of right ought to be, a free, sovereign, and

Abolished.
See amendments, Art. VII.

Declaration and oaths of all officers.

For new oath of allegiance, see amendments, Art. VI.

independent state; and I do swear, that I will bear true faith and allegiance to the said commonwealth, and that I will defend the same against traitorous conspiracies and all hostile attempts whatsoever; and that I do renounce and abjure all allegiance, subjection, and obedience to the king, queen, or government of Great Britain (as the case may be), and every other foreign power whatsoever; and that no foreign prince, person, prelate, state, or potentate, hath, or ought to have, any jurisdiction, superiority, pre-eminence, authority, dispensing or other power, in any matter, civil, ecclesiastical, or spiritual, within this commonwealth, except the authority and power which is or may be vested by their constituents in the congress of the United States: and I do further testify and declare, that no man or body of men hath or can have any right to absolve or discharge me from the obligation of this oath, declaration, or affirmation; and that I do make this acknowledgment, profession, testimony, declaration, denial, renunciation, and abjuration, heartily and truly, according to the common meaning and acceptation of the foregoing words, without any equivocation, mental evasion, or secret reservation whatsoever. So help me, God.”]

“I, A. B., do solemnly swear and affirm, that I will faithfully and impartially discharge and perform all the duties incumbent on me as _____, according to the best of my abilities and understanding, agreeably to the rules and regulations of the constitution and the laws of the commonwealth. So help me, God.” Oath of office.

Provided, always, that when any person chosen or appointed as aforesaid, shall be of the denomination of the people called Quakers, and shall decline taking the said oath[s], he shall make his affirmation in the foregoing form, and subscribe the same, omitting the words, [*“I do swear,” “and abjure,” “oath or,” “and abjuration,”* in the first oath, and in the second oath, the words] *“swear and,”* and [in each of them] the words *“So help me, God;”* subjoining instead thereof, *“This I do under the pains and penalties of perjury.”* Proviso.
See amendments, Art. VI.

And the said oaths or affirmations shall be taken and subscribed by the governor, lieutenant-governor, and councillors, before the president of the senate, in the presence of the two houses of assembly; and by the senators and representatives first elected under this constitution, before the president and five of the council of the former constitu- Oaths and affirmations, how administered.

tion; and forever afterwards before the governor and council for the time being; and by the residue of the officers aforesaid, before such persons and in such manner as from time to time shall be prescribed by the legislature.

Plurality of offices prohibited to governor, etc., except, etc. See amendments, Art. VIII.

II. No governor, lieutenant-governor, or judge of the supreme judicial court, shall hold any other office or place, under the authority of this commonwealth, except such as by this constitution they are admitted to hold, saving that the judges of the said court may hold the offices of justices of the peace through the state; nor shall they hold any other place or office, or receive any pension or salary from any other state or government or power whatever.

Same subject.
1 Allen, 553.

No person shall be capable of holding or exercising at the same time, within this state, more than one of the following offices, viz.: judge of probate — sheriff — register of probate — or register of deeds; and never more than any two offices, which are to be held by appointment of the governor, or the governor and council, or the senate, or the house of representatives, or by the election of the people of the state at large, or of the people of any county, military offices, and the offices of justices of the peace excepted, shall be held by one person.

Incompatible offices.
For further provisions as to incompatible offices, see amendments, Art. VIII.
Officers of Harvard College excepted by amendments, Art. XXVII.

No person holding the office of judge of the supreme judicial court — secretary — attorney-general — solicitor-general — treasurer or receiver-general — judge of probate — commissary-general — [president, professor, or instructor of Harvard College] — sheriff — clerk of the house of representatives — register of probate — register of deeds — clerk of the supreme judicial court — clerk of the inferior court of common pleas — or officer of the customs, including in this description naval officers — shall at the same time have a seat in the senate or house of representatives; but their being chosen or appointed to, and accepting the same, shall operate as a resignation of their seat in the senate or house of representatives; and the place so vacated shall be filled up.

Incompatible offices.

And the same rule shall take place in case any judge of the said supreme judicial court, or judge of probate, shall accept a seat in council; or any councillor shall accept of either of those offices or places.

Bribery, etc., disqualify.

And no person shall ever be admitted to hold a seat in the legislature, or any office of trust or importance under the government of this commonwealth, who shall, in the due

course of law, have been convicted of bribery or corruption in obtaining an election or appointment.

III. [In all cases where sums of money are mentioned in this constitution, the value thereof shall be computed in silver, at six shillings and eight pence per ounce; and it shall be in the power of the legislature, from time to time, to increase such qualifications, as to property, of the persons to be elected to offices, as the circumstances of the commonwealth shall require.]

Value of money ascertained.

Property qualifications may be increased. See amendments, Arts. XIII and XXXIV.

IV. All commissions shall be in the name of the Commonwealth of Massachusetts, signed by the governor and attested by the secretary or his deputy, and have the great seal of the commonwealth affixed thereto.

Provisions respecting commissions.

V. All writs, issuing out of the clerk's office in any of the courts of law, shall be in the name of the Commonwealth of Massachusetts; they shall be under the seal of the court from whence they issue; they shall bear test of the first justice of the court to which they shall be returnable, who is not a party, and be signed by the clerk of such court.

Provisions respecting writs. 2 Pick. 592. 3 Met. 58. 13 Gray, 74.

VI. All the laws which have heretofore been adopted, used, and approved in the Province, Colony, or State of Massachusetts Bay, and usually practised on in the courts of law, shall still remain and be in full force, until altered or repealed by the legislature; such parts only excepted as are repugnant to the rights and liberties contained in this constitution.

Continuation of former laws, except, etc. 1 Mass. 59. 2 Mass. 534. 8 Pick. 309, 316. 16 Pick. 107, 115. 2 Met. 118.

VII. The privilege and benefit of the writ of *habeas corpus* shall be enjoyed in this commonwealth, in the most free, easy, cheap, expeditious, and ample manner; and shall not be suspended by the legislature, except upon the most urgent and pressing occasions, and for a limited time, not exceeding twelve months.

Benefit of *habeas corpus* secured, except, etc.

VIII. The enacting style, in making and passing all acts, statutes, and laws, shall be — “Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same.”

The enacting style.

IX. [To the end there may be no failure of justice, or danger arise to the commonwealth from a change of the form of government, all officers, civil and military, holding commissions under the government and people of Massachusetts Bay in New England, and all other officers of the said government and people, at the time this constitution shall take effect, shall have, hold, use, exercise, and enjoy,

Officers of former government continued until, etc.

all the powers and authority to them granted or committed, until other persons shall be appointed in their stead; and all courts of law shall proceed in the execution of the business of their respective departments; and all the executive and legislative officers, bodies, and powers shall continue in full force, in the enjoyment and exercise of all their trusts, employments and authority; until the general court, and the supreme and executive officers under this constitution, are designated and invested with their respective trusts, powers, and authority.]

Provision for revising constitution. For existing provision as to amendments, see amendments, Art. IX.

X. [In order the more effectually to adhere to the principles of the constitution, and to correct those violations which by any means may be made therein, as well as to form such alterations as from experience shall be found necessary, the general court which shall be in the year of our Lord one thousand seven hundred and ninety-five, shall issue precepts to the selectmen of the several towns, and to the assessors of the unincorporated plantations, directing them to convene the qualified voters of their respective towns and plantations, for the purpose of collecting their sentiments on the necessity or expediency of revising the constitution, in order to amendments.]

Provision for revising constitution.

And if it shall appear, by the returns made, that two-thirds of the qualified voters throughout the state, who shall assemble and vote in consequence of the said precepts, are in favor of such revision or amendment, the general court shall issue precepts, or direct them to be issued from the secretary's office, to the several towns to elect delegates to meet in convention for the purpose aforesaid.

The said delegates to be chosen in the same manner and proportion as their representatives in the second branch of the legislature are by this constitution to be chosen.]

Provision for preserving and publishing this constitution.

XI. This form of government shall be enrolled on parchment, and deposited in the secretary's office, and be a part of the laws of the land; and printed copies thereof shall be prefixed to the book containing the laws of this commonwealth, in all future editions of the said laws.

ARTICLES OF AMENDMENT.

Bill, etc., not approved within five days, not to become a law

Article I. If any bill or resolve shall be objected to, and not approved by the governor; and if the general court shall adjourn within five days after the same shall have been

laid before the governor for his approbation, and thereby prevent his returning it with his objections, as provided by the constitution, such bill or resolve shall not become a law, nor have force as such.

Art. II. The general court shall have full power and authority to erect and constitute municipal or city governments, in any corporate town or towns in this commonwealth, and to grant to the inhabitants thereof such powers, privileges, and immunities, not repugnant to the constitution, as the general court shall deem necessary or expedient for the regulation and government thereof, and to prescribe the manner of calling and holding public meetings of the inhabitants, in wards or otherwise, for the election of officers under the constitution, and the manner of returning the votes given at such meetings. Provided, that no such government shall be erected or constituted in any town not containing twelve thousand inhabitants, nor unless it be with the consent, and on the application of a majority of the inhabitants of such town, present and voting thereon, pursuant to a vote at a meeting duly warned and holden for that purpose. And provided, also, that all by-laws, made by such municipal or city government, shall be subject, at all times, to be annulled by the general court.

Art. III. Every male citizen of twenty-one years of age and upwards, excepting paupers and persons under guardianship, who shall have resided within the commonwealth one year, and within the town or district in which he may claim a right to vote, six calendar months next preceding any election of governor, lieutenant-governor, senators, or representatives, [and who shall have paid, by himself, or his parent, master, or guardian, any state or county tax, which shall, within two years next preceding such election, have been assessed upon him, in any town or district of this commonwealth; and also every citizen who shall be, by law, exempted from taxation, and who shall be, in all other respects, qualified as above mentioned,] shall have a right to vote in such election of governor, lieutenant-governor, senators, and representatives; and no other person shall be entitled to vote in such election.

For provision as to those who have served in the army or navy in time of war, see amendments, Arts. XXVIII and XXXI. See also amendments, Art. XXIII, which was annulled by amendments, Art. XXVI.

For absentee voting, see amendments, Art. XLV.

Art. IV. Notaries public shall be appointed by the governor in the same manner as judicial officers are appointed,

if legislature adjourn in the mean time.
3 Mass. 567.
See Const., Ch. I, § 1, Art. II.

General court empowered to charter cities.
122 Mass. 354.
See amendments, Arts. XLVII and XLVIII, The initiative, II, sect. 2, and The referendum, III, sect. 2.

Proviso.
112 Mass. 200.

Qualifications of voters for governor, lieutenant-governor, senators and representatives.
See amendments, Arts. XXX, XXXII, XL and XLV.
11 Pick. 538, 540.
14 Pick. 341.
14 Mass. 367.
5 Met. 162, 298, 591, 594.
7 Gray, 299.
122 Mass. 595, 597.
124 Mass. 596.
For educational qualification, see amendments, Art. XXX.

Notaries public, how appointed and removed.

See amend-
ments, Art.
XXXVII.

and shall hold their offices during seven years, unless sooner removed by the governor, with the consent of the council, upon the address of both houses of the legislature.

For appointment of women as notaries public, see amendments, Art. LVII.

Vacancies in
the offices of
secretary and
treasurer, how
filled.
This clause
superseded by
amendments,
Art. XVII.

[In case the office of secretary or treasurer of the commonwealth shall become vacant from any cause, during the recess of the general court, the governor, with the advice and consent of the council, shall nominate and appoint, under such regulations as may be prescribed by law, a competent and suitable person to such vacant office, who shall hold the same until a successor shall be appointed by the general court.]

Commissary-
general may be
appointed, in
case, etc.

[Whenever the exigencies of the commonwealth shall require the appointment of a commissary-general, he shall be nominated, appointed, and commissioned, in such manner as the legislature may, by law, prescribe.]

Militia officers,
how removed.

All officers commissioned to command in the militia may be removed from office in such manner as the legislature may, by law, prescribe.]

Last two paragraphs of Art. IV annulled and superseded by amendments, Art. LIII.

Who may vote
for captains and
subalterns.

Art. V. [In the elections of captains and subalterns of the militia, all the members of their respective companies, as well those under as those above the age of twenty-one years, shall have a right to vote.]

This article annulled and superseded by amendments, Art. LIII.

Oath to be
taken by all
officers.
See Const.,
Ch. VI, Art. I.

Art. VI. Instead of the oath of allegiance prescribed by the constitution, the following oath shall be taken and subscribed by every person chosen or appointed to any office, civil or military, under the government of this commonwealth, before he shall enter on the duties of his office, to wit:—

“I, A. B., do solemnly swear, that I will bear true faith and allegiance to the Commonwealth of Massachusetts, and will support the constitution thereof. So help me, God.”

Provided, That when any person shall be of the denomination called Quakers, and shall decline taking said oath, he shall make his affirmation in the foregoing form, omitting the word “swear” and inserting, instead thereof, the word “affirm,” and omitting the words “So help me, God,” and subjoining, instead thereof, the words, “This I do under the pains and penalties of perjury.”

Proviso.
Quakers may
affirm.

Tests abol-
ished.

Art. VII. No oath, declaration, or subscription, excepting the oath prescribed in the preceding article, and the oath of office, shall be required of the governor, lieutenant-

governor, councillors, senators, or representatives, to qualify them to perform the duties of their respective offices.

Art. VIII. No judge of any court of this commonwealth, (except the court of sessions,) and no person holding any office under the authority of the United States, (postmasters excepted,) shall, at the same time, hold the office of governor, lieutenant-governor, or councillor, or have a seat in the senate or house of representatives of this commonwealth; and no judge of any court in this commonwealth, (except the court of sessions,) nor the attorney-general, solicitor-general, county attorney, clerk of any court, sheriff, treasurer and receiver-general, register of probate, nor register of deeds, shall continue to hold his said office after being elected a member of the Congress of the United States, and accepting that trust; but the acceptance of such trust, by any of the officers aforesaid, shall be deemed and taken to be a resignation of his said office; and judges of the courts of common pleas shall hold no other office under the government of this commonwealth, the office of justice of the peace and militia offices excepted.

Incompatibility of offices.
122 Mass. 445,
600.
123 Mass. 525.

Art. IX. [If, at any time hereafter, any specific and particular amendment or amendments to the constitution be proposed in the general court, and agreed to by a majority of the senators and two-thirds of the members of the house of representatives present and voting thereon, such proposed amendment or amendments shall be entered on the journals of the two houses, with the yeas and nays taken thereon, and referred to the general court then next to be chosen, and shall be published; and if, in the general court next chosen as aforesaid, such proposed amendment or amendments shall be agreed to by a majority of the senators and two-thirds of the members of the house of representatives present and voting thereon, then it shall be the duty of the general court to submit such proposed amendment or amendments to the people; and if they shall be approved and ratified by a majority of the qualified voters, voting thereon, at meetings legally warned and holden for that purpose, they shall become part of the constitution of this commonwealth.]

Amendments to constitution, how made.
This article annulled by Art. XLVIII, General Provisions, VIII.

Art. X. The political year shall begin on the first Wednesday of January, instead of the last Wednesday of May; and the general court shall assemble every year on the said first Wednesday of January, and shall proceed, at that session, to make all the elections, and do all the other acts, which are by the constitution required to be made and

Commencement of political year.
Further provision for assembling annually.
See amendments, Art. LXIV, sect. 3.

Termination
of political
year.

Governor, etc.,
to be elected
biennially.
See amend-
ments, Art.
LXIV, sect 1.

Meetings for the
choice of gov-
ernor, lieuten-
ant-governor,
etc., when to
be held.
This clause
superseded by
amendments,
Art. XV.

Article, when
to go into
operation.

Inconsistent
provisions
annulled.

done at the session which has heretofore commenced on the last Wednesday of May. And the general court shall be dissolved on the day next preceding the first Wednesday of January, without any proclamation or other act of the governor. But nothing herein contained shall prevent the general court from assembling at such other times as they shall judge necessary, or when called together by the governor. The governor, lieutenant-governor and councillors, shall also hold their respective offices for one year next following the first Wednesday of January, and until others are chosen and qualified in their stead.

[The meeting for the choice of governor, lieutenant-governor, senators, and representatives, shall be held on the second Monday of November in every year; but meetings may be adjourned, if necessary, for the choice of representatives, to the next day, and again to the next succeeding day, but no further. But in case a second meeting shall be necessary for the choice of representatives, such meetings shall be held on the fourth Monday of the same month of November.]

All the other provisions of the constitution, respecting the elections and proceedings of the members of the general court, or of any other officers or persons whatever, that have reference to the last Wednesday of May, as the commencement of the political year, shall be so far altered, as to have like reference to the first Wednesday of January.

[This article shall go into operation on the first day of October, next following the day when the same shall be duly ratified and adopted as an amendment of the constitution; and the governor, lieutenant-governor, councillors, senators, representatives, and all other state officers, who are annually chosen, and who shall be chosen for the current year, when the same shall go into operation, shall hold their respective offices until the first Wednesday of January then next following, and until others are chosen and qualified in their stead, and no longer; and the first election of the governor, lieutenant-governor, senators, and representatives, to be had in virtue of this article, shall be had conformably thereunto, in the month of November following the day on which the same shall be in force, and go into operation, pursuant to the foregoing provision.]

All the provisions of the existing constitution, inconsistent with the provisions herein contained, are hereby wholly annulled.]

Art. XI. Instead of the third article of the bill of rights, the following modification and amendment thereof is substituted:—

“As the public worship of God and instructions in piety, religion, and morality, promote the happiness and prosperity of a people, and the security of a republican government; therefore, the several religious societies of this commonwealth, whether corporate or unincorporate, at any meeting legally warned and holden for that purpose, shall ever have the right to elect their pastors or religious teachers, to contract with them for their support, to raise money for erecting and repairing houses for public worship, for the maintenance of religious instruction, and for the payment of necessary expenses; and all persons belonging to any religious society shall be taken and held to be members, until they shall file with the clerk of such society a written notice, declaring the dissolution of their membership, and thenceforth shall not be liable for any grant or contract which may be thereafter made, or entered into by such society; and all religious sects and denominations, demeaning themselves peaceably, and as good citizens of the commonwealth, shall be equally under the protection of the law; and no subordination of any one sect or denomination to another shall ever be established by law.”

Religious freedom established. See Dec. of Rights, Art. III. See amendments, Arts. XLVI and XLVIII, The initiative, II, sect. 2. and The referendum, III, sect. 2.

122 Mass. 40, 41.

Art. XII. [In order to provide for a representation of the citizens of this commonwealth, founded upon the principles of equality, a census of the ratable polls, in each city, town, and district of the commonwealth, on the first day of May, shall be taken and returned into the secretary's office, in such manner as the legislature shall provide, within the month of May, in the year of our Lord one thousand eight hundred and thirty-seven, and in every tenth year thereafter, in the month of May, in manner aforesaid; and each town or city having three hundred ratable polls at the last preceding decennial census of polls, may elect one representative, and for every four hundred and fifty ratable polls in addition to the first three hundred, one representative more.

Census of ratable polls to be taken in 1837, and decennially thereafter. This article was superseded by amendments, Art. XIII, which was also superseded by amendments, Art. XXI.

Representatives, how apportioned.

Any town having less than three hundred ratable polls shall be represented thus: The whole number of ratable polls, at the last preceding decennial census of polls, shall be multiplied by ten, and the product divided by three hundred; and such town may elect one representative as many years within ten years, as three hundred is contained in the product aforesaid.

Towns having less than 300 ratable polls, how represented.

Fractions, how represented.

Any city or town having ratable polls enough to elect one or more representatives, with any number of polls beyond the necessary number, may be represented, as to that surplus number, by multiplying such surplus number by ten and dividing the product by four hundred and fifty; and such city or town may elect one additional representative as many years, within the ten years, as four hundred and fifty is contained in the product aforesaid.

Towns may unite into representative districts.

Any two or more of the several towns and districts may, by consent of a majority of the legal voters present at a legal meeting, in each of said towns and districts, respectively, called for that purpose, and held previous to the first day of July, in the year in which the decennial census of polls shall be taken, form themselves into a representative district to continue until the next decennial census of polls, for the election of a representative, or representatives; and such district shall have all the rights, in regard to representation, which would belong to a town containing the same number of ratable polls.

The governor and council to determine the number of representatives to which each town is entitled.

The governor and council shall ascertain and determine, within the months of July and August, in the year of our Lord one thousand eight hundred and thirty-seven, according to the foregoing principles, the number of representatives, which each city, town, and representative district is entitled to elect, and the number of years, within the period of ten years then next ensuing, that each city, town, and representative district may elect an additional representative; and where any town has not a sufficient number of polls to elect a representative each year, then, how many years within the ten years, such town may elect a representative; and the same shall be done once in ten years, thereafter, by the governor and council, and the number of ratable polls in each decennial census of polls, shall determine the number of representatives, which each city, town and representative district may elect as aforesaid; and when the number of representatives to be elected by each city, town, or representative district is ascertained and determined as aforesaid, the governor shall cause the same to be published forthwith for the information of the people, and that number shall remain fixed and unalterable for the period of ten years.

New apportionment to be made once in every ten years.

Inconsistent provisions annulled.

All the provisions of the existing constitution inconsistent with the provisions herein contained, are hereby wholly annulled.]

Art. XIII. [A census of the inhabitants of each city and town, on the first day of May, shall be taken, and returned into the secretary's office, on or before the last day of June, of the year one thousand eight hundred and forty, and of every tenth year thereafter; which census shall determine the apportionment of senators and representatives for the term of ten years.

122 Mass. 595.

The several senatorial districts now existing shall be permanent. The senate shall consist of forty members; and in the year one thousand eight hundred and forty, and every tenth year thereafter, the governor and council shall assign the number of senators to be chosen in each district, according to the number of inhabitants in the same. But, in all cases, at least one senator shall be assigned to each district.

The members of the house of representatives shall be apportioned in the following manner: Every town or city containing twelve hundred inhabitants may elect one representative; and two thousand four hundred inhabitants shall be the mean increasing number, which shall entitle it to an additional representative.

Every town containing less than twelve hundred inhabitants shall be entitled to elect a representative as many times within ten years as the number one hundred and sixty is contained in the number of the inhabitants of said town. Such towns may also elect one representative for the year in which the valuation of estates within the commonwealth shall be settled.

Any two or more of the several towns may, by consent of a majority of the legal voters present at a legal meeting, in each of said towns, respectively, called for that purpose, and held before the first day of August, in the year one thousand eight hundred and forty, and every tenth year thereafter, form themselves into a representative district, to continue for the term of ten years; and such district shall have all the rights, in regard to representation, which would belong to a town containing the same number of inhabitants.

The number of inhabitants which shall entitle a town to elect one representative, and the mean increasing number which shall entitle a town or city to elect more than one, and also the number by which the population of towns not entitled to a representative every year is to be divided, shall be increased, respectively, by one-tenth of the numbers above mentioned, whenever the population of the commonwealth

Census of inhabitants to be taken in 1840, and decennially thereafter, for basis of representation. Provisions as to census superseded by amendments, Arts. XXI and XXII.

Senatorial districts declared permanent. Provisions as to senators superseded by amendments, Art. XXII.

House of representatives, how apportioned. Provisions as to representatives superseded by amendments, Art. XXI.

Small towns, how represented.

Towns may unite into representative districts.

Basis of representation, and ratio of increase.

shall have increased to seven hundred and seventy thousand, and for every additional increase of seventy thousand inhabitants, the same addition of one-tenth shall be made, respectively, to the said numbers above mentioned.

The governor and council to apportion the number of representatives of each town once in every ten years.

In the year of each decennial census, the governor and council shall, before the first day of September, apportion the number of representatives which each city, town, and representative district is entitled to elect, and ascertain how many years, within ten years, any town may elect a representative, which is not entitled to elect one every year; and the governor shall cause the same to be published forthwith.

Councillors to be chosen from the people at large. Provisions as to councillors superseded by amendments, Art. XVI.

Nine councillors shall be annually chosen from among the people at large, on the first Wednesday of January, or as soon thereafter as may be, by the joint ballot of the senators and representatives, assembled in one room, who shall, as soon as may be, in like manner, fill up any vacancies that may happen in the council, by death, resignation, or otherwise. No person shall be elected a councillor, who has not been an inhabitant of this commonwealth for the term of five years immediately preceding his election; and not more than one councillor shall be chosen from any one senatorial district in the commonwealth.]

Qualifications of councillors.

No possession of a freehold, or of any other estate, shall be required as a qualification for holding a seat in either branch of the general court, or in the executive council.

Freehold as a qualification for a seat in general court or council not required. Elections by the people to be by plurality of votes.

Art. XIV. In all elections of civil officers by the people of this commonwealth, whose election is provided for by the constitution, the person having the highest number of votes shall be deemed and declared to be elected.

Time of annual election of governor and legislature. For change to biennial elections, see amendments, Art. LXIV, sects. 1-4.

Art. XV. The meeting for the choice of governor, lieutenant-governor, senators, and representatives, shall be held on the Tuesday next after the first Monday in November, annually; but in case of a failure to elect representatives on that day, a second meeting shall be holden, for that purpose, on the fourth Monday of the same month of November.

For compulsory voting, see amendments, Art. LXI.

Eight councillors to be chosen by the people. 122 Mass. 595, 598. For change to biennial elections, see amendments, Art. LXIV, sects. 1-4. For compulsory voting, see

Art. XVI. Eight councillors shall be [annually] chosen by the inhabitants of this commonwealth, qualified to vote for governor. The election of councillors shall be determined by the same rule that is required in the election of governor. The legislature, at its first session after this amendment shall have been adopted, and at its first session after the next state census shall have been taken, and at its first session after each decennial state census thereafterwards, shall

divide the commonwealth into eight districts of contiguous territory, each containing a number of inhabitants as nearly equal as practicable, without dividing any town or ward of a city, and each entitled to elect one councillor: *provided, however,* that if, at any time, the constitution shall provide for the division of the commonwealth into forty senatorial districts, then the legislature shall so arrange the councillor districts, that each district shall consist of five contiguous senatorial districts, as they shall be, from time to time, established by the legislature. No person shall be eligible to the office of councillor who has not been an inhabitant of the commonwealth for the term of five years immediately preceding his election. The day and manner of the election, the return of the votes, and the declaration of the said elections, shall be the same as are required in the election of governor. [Whenever there shall be a failure to elect the full number of councillors, the vacancies shall be filled in the same manner as is required for filling vacancies in the senate; and vacancies occasioned by death, removal from the state, or otherwise, shall be filled in like manner, as soon as may be, after such vacancies shall have happened.] And that there may be no delay in the organization of the government on the first Wednesday of January, the governor, with at least five councillors for the time being, shall, as soon as may be, examine the returned copies of the records for the election of governor, lieutenant-governor, and councillors; and ten days before the said first Wednesday in January he shall issue his summons to such persons as appear to be chosen, to attend on that day to be qualified accordingly; and the secretary shall lay the returns before the senate and house of representatives on the said first Wednesday in January, to be by them examined; and in case of the election of either of said officers, the choice shall be by them declared and published; but in case there shall be no election of either of said officers, the legislature shall proceed to fill such vacancies in the manner provided in the constitution for the choice of such officers.

Art. XVII. The secretary, treasurer and receiver-general, auditor, and attorney-general, shall be chosen [annually,] on the day in November prescribed for the choice of governor; and each person then chosen as such, duly qualified in other respects, shall hold his office for the term of [one year] from the third Wednesday in January next thereafter, and until another is chosen and qualified in his stead. The

amendments,
Art. LXI.
Legislature to
district state.

Proviso.

Eligibility
defined.

Day and man-
ner of election,
etc.

Vacancies, how
filled.
For new pro-
vision as to
vacancies, see
amendments,
Art. XXV.

Organization of
the govern-
ment.

Election of
secretary,
treasurer,
auditor, and
attorney-gen-
eral by the
people.
For election
biennially, etc.,
see amend-
ments, Art.
LXIV, sect. 1.

For compulsory voting, see amendments, Art. LXI.

Vacancies, how filled.

To qualify within ten days, otherwise office to be deemed vacant.

Qualification requisite.

School moneys not to be applied for sectarian schools. For original provision as to schools, see constitution, Part First, Art. III. 12 Allen, 500, 508. 103 Mass. 94, 96. This article was superseded by amendments, Art. XLVI. Legislature to prescribe for the election of sheriffs, registers of probate, etc. See amendments, Art. XXXVI. 8 Gray, 1. 13 Gray, 74.

qualification of the voters, the manner of the election, the return of the votes, and the declaration of the election, shall be such as are required in the election of governor. In case of a failure to elect either of said officers on the day in November aforesaid, or in case of the decease, in the mean time, of the person elected as such, such officer shall be chosen on or before the third Wednesday in January next thereafter, from the two persons who had the highest number of votes for said offices on the day in November aforesaid, by joint ballot of the senators and representatives, in one room; and in case the office of secretary, or treasurer and receiver-general, or auditor, or attorney-general, shall become vacant, from any cause, during an annual or special session of the general court, such vacancy shall in like manner be filled by choice from the people at large; but if such vacancy shall occur at any other time, it shall be supplied by the governor by appointment, with the advice and consent of the council. The person so chosen or appointed, duly qualified in other respects, shall hold his office until his successor is chosen and duly qualified in his stead. In case any person chosen or appointed to either of the offices aforesaid, shall neglect, for the space of ten days after he could otherwise enter upon his duties, to qualify himself in all respects to enter upon the discharge of such duties, the office to which he has been elected or appointed shall be deemed vacant. No person shall be eligible to either of said offices unless he shall have been an inhabitant of this commonwealth five years next preceding his election or appointment.

Art. XVIII. [All moneys raised by taxation in the towns and cities for the support of public schools, and all moneys which may be appropriated by the state for the support of common schools, shall be applied to, and expended in, no other schools than those which are conducted according to law, under the order and superintendence of the authorities of the town or city in which the money is to be expended; and such moneys shall never be appropriated to any religious sect for the maintenance, exclusively, of its own school.]

Art. XIX. The legislature shall prescribe, by general law, for the election of sheriffs, registers of probate, [commissioners of insolvency,] and clerks of the courts, by the people of the several counties, and that district-attorneys shall be chosen by the people of the several districts, for such term of office as the legislature shall prescribe.

Art. XX. No person shall have the right to vote, or be eligible to office under the constitution of this commonwealth, who shall not be able to read the constitution in the English language, and write his name: *provided, however,* that the provisions of this amendment shall not apply to any person prevented by a physical disability from complying with its requisitions, nor to any person who now has the right to vote, nor to any persons who shall be sixty years of age or upwards at the time this amendment shall take effect.

For absentee voting, see amendments, Art. XLV.

Art. XXI. A census of the legal voters of each city and town, on the first day of May, shall be taken and returned into the office of the secretary of the commonwealth, on or before the last day of June, in the year one thousand eight hundred and fifty-seven; and a census of the inhabitants of each city and town, in the year one thousand eight hundred and sixty-five, and of every tenth year thereafter. In the census aforesaid, a special enumeration shall be made of the legal voters; and in each city, said enumeration shall specify the number of such legal voters aforesaid, residing in each ward of such city. The enumeration aforesaid shall determine the apportionment of representatives for the periods between the taking of the census.

The house of representatives shall consist of two hundred and forty members, which shall be apportioned by the legislature, at its first session after the return of each enumeration as aforesaid, to the several counties of the commonwealth, equally, as nearly as may be, according to their relative numbers of legal voters, as ascertained by the next preceding special enumeration; and the town of Cohasset, in the county of Norfolk, shall, for this purpose, as well as in the formation of districts, as hereinafter provided, be considered a part of the county of Plymouth; and it shall be the duty of the secretary of the commonwealth, to certify, as soon as may be after it is determined by the legislature, the number of representatives to which each county shall be entitled, to the board authorized to divide each county into representative districts. The mayor and aldermen of the city of Boston, the county commissioners of other counties than Suffolk, — or in lieu of the mayor and aldermen of the city of Boston, or of the county commissioners in each county other than Suffolk, such board of special commissioners in each county, to be elected by the people of the county, or of the towns therein, as may for that purpose be provided by

Reading constitution in English and writing, necessary qualifications of voters. Proviso.

For other qualifications, see amendments, Art. III. See also amendments, Art. XXIII, which was annulled by amendments, Art. XXVI.

Census of legal voters and of inhabitants, when taken, etc. See P. S. c. 31.

House of representatives to consist of 240 members. Legislature to apportion, etc. 10 Gray, 613.

Secretary shall certify to officers authorized to divide counties.

Meeting for
division to be
first Tuesday
in August.
Proceedings.

Qualifications
of representa-
tives.
122 Mass. 595,
598.

Districts to be
numbered,
described and
certified.

Quorum.
See amend-
ments, Art.
XXXIII.

Census, etc.
See P. S. c. 31.

Voters to be
basis of appor-
tionment of
senators.

Senate to con-
sist of forty
members.

law, — shall, on the first Tuesday of August next after each assignment of representatives to each county, assemble at a shire town of their respective counties, and proceed, as soon as may be, to divide the same into representative districts of contiguous territory, so as to apportion the representation assigned to each county equally, as nearly as may be, according to the relative number of legal voters in the several districts of each county; and such districts shall be so formed that no town or ward of a city shall be divided therefor, nor shall any district be made which shall be entitled to elect more than three representatives. Every representative, for one year at least next preceding his election, shall have been an inhabitant of the district for which he is chosen, and shall cease to represent such district when he shall cease to be an inhabitant of the commonwealth. The districts in each county shall be numbered by the board creating the same, and a description of each, with the numbers thereof and the number of legal voters therein, shall be returned by the board, to the secretary of the commonwealth, the county treasurer of each county, and to the clerk of every town in each district, to be filed and kept in their respective offices. The manner of calling and conducting the meetings for the choice of representatives, and of ascertaining their election, shall be prescribed by law. [Not less than one hundred members of the house of representatives shall constitute a quorum for doing business; but a less number may organize temporarily, adjourn from day to day, and compel the attendance of absent members.]

Art. XXII. A census of the legal voters of each city and town, on the first day of May, shall be taken and returned into the office of the secretary of the commonwealth, on or before the last day of June, in the year one thousand eight hundred and fifty-seven; and a census of the inhabitants of each city and town, in the year one thousand eight hundred and sixty-five, and of every tenth year thereafter. In the census aforesaid, a special enumeration shall be made of the legal voters, and in each city said enumeration shall specify the number of such legal voters aforesaid, residing in each ward of such city. The enumeration aforesaid shall determine the apportionment of senators for the periods between the taking of the census. The senate shall consist of forty members. The general court shall, at its first session after each next preceding special enumeration, divide the commonwealth into forty districts of adjacent territory, each

district to contain, as nearly as may be, an equal number of legal voters, according to the enumeration aforesaid: *provided, however*, that no town or ward of a city shall be divided therefor; and such districts shall be formed, as nearly as may be, without uniting two counties, or parts of two or more counties, into one district. Each district shall elect one senator, who shall have been an inhabitant of this commonwealth five years at least immediately preceding his election, and at the time of his election shall be an inhabitant of the district for which he is chosen; and he shall cease to represent such senatorial district when he shall cease to be an inhabitant of the commonwealth. [Not less than sixteen senators shall constitute a quorum for doing business; but a less number may organize temporarily, adjourn from day to day, and compel the attendance of absent members.]

Senatorial districts, etc. See amendments, Art. XXIV.

Qualifications of senators.

Quorum. See amendments, Art. XXXIII.

Art. XXIII. [No person of foreign birth shall be entitled to vote, or shall be eligible to office, unless he shall have resided within the jurisdiction of the United States for two years subsequent to his naturalization, and shall be otherwise qualified, according to the constitution and laws of this commonwealth: *provided*, that this amendment shall not affect the rights which any person of foreign birth possessed at the time of the adoption thereof; and, *provided, further*, that it shall not affect the rights of any child of a citizen of the United States, born during the temporary absence of the parent therefrom.]

Residence of two years required of naturalized citizens, to entitle to suffrage or make eligible to office. This article annulled by Art. XXVI.

Art. XXIV. Any vacancy in the senate shall be filled by election by the people of the unrepresented district, upon the order of a majority of the senators elected.

Vacancies in the senate.

Art. XXV. In case of a vacancy in the council, from a failure of election, or other cause, the senate and house of representatives shall, by concurrent vote, choose some eligible person from the people of the district wherein such vacancy occurs, to fill that office. If such vacancy shall happen when the legislature is not in session, the governor, with the advice and consent of the council, may fill the same by appointment of some eligible person.

Vacancies in the council.

Art. XXVI. The twenty-third article of the articles of amendment of the constitution of this commonwealth, which is as follows, to wit: "No person of foreign birth shall be entitled to vote, or shall be eligible to office, unless he shall have resided within the jurisdiction of the United States for two years subsequent to his naturalization, and shall be

Twenty-third article of amendments annulled.

otherwise qualified, according to the constitution and laws of this commonwealth: *provided*, that this amendment shall not affect the rights which any person of foreign birth possessed at the time of the adoption thereof; and *provided, further*, that it shall not affect the rights of any child of a citizen of the United States, born during the temporary absence of the parent therefrom," is hereby wholly annulled.

Provisions of
Art. II, Chap.
VI, relating to
officers of Har-
vard College,
annulled.

Art. XXVII. So much of article two of chapter six of the constitution of this commonwealth as relates to persons holding the office of president, professor, or instructor of Harvard College, is hereby annulled.

Superseded by
Art. XXXI.

Art. XXVIII. No person having served in the army or navy of the United States in time of war, and having been honorably discharged from such service, if otherwise qualified to vote, shall be disqualified therefor on account of [being a pauper;] or[, if a pauper,] because of the non-payment of a poll tax.

Voting pre-
cincts in towns.
For absentee
voting provi-
sion, see
amendments,
Art. XLV.

Art. XXIX. The general court shall have full power and authority to provide for the inhabitants of the towns in this commonwealth more than one place of public meeting within the limits of each town for the election of officers under the constitution, and to prescribe the manner of calling, holding and conducting such meetings. All the provisions of the existing constitution inconsistent with the provisions herein contained are hereby annulled.

Voters not dis-
qualified by
reason of
change of resi-
dence until six
months from
time of removal.
For absentee
voting provi-
sion, see
amendments,
Art. XLV.

Art. XXX. No person, otherwise qualified to vote in elections for governor, lieutenant-governor, senators, and representatives, shall, by reason of a change of residence within the commonwealth, be disqualified from voting for said officers in the city or town from which he has removed his residence, until the expiration of six calendar months from the time of such removal.

Amendments,
Art. XXVIII,
amended.

Art. XXXI. Article twenty-eight of the amendments of the constitution is hereby amended by striking out in the fourth line thereof the words "being a pauper", and inserting in place thereof the words:—receiving or having received aid from any city or town,—and also by striking out in said fourth line the words "if a pauper", so that the article as amended shall read as follows: **ARTICLE XXVIII.** No person having served in the army or navy of the United States in time of war, and having been honorably discharged from such service, if otherwise qualified to vote, shall be disqualified therefor on account of receiving or having received aid from any city or town, or because of the non-payment of a poll tax.

Person who
served in army
or navy, etc.,
not disqualified
from voting for
non-payment of
poll tax.

Art. XXXII. So much of article three of the amendments of the constitution of the commonwealth as is contained in the following words: "and who shall have paid, by himself, or his parent, master, or guardian, any state or county tax, which shall, within two years next preceding such election, have been assessed upon him, in any town or district of this commonwealth; and also every citizen who shall be, by law, exempted from taxation, and who shall be, in all other respects, qualified as above mentioned", is hereby annulled.

Provisions of amendments, Art. III, relative to payment of a tax as a voting qualification, annulled.

Art. XXXIII. A majority of the members of each branch of the general court shall constitute a quorum for the transaction of business, but a less number may adjourn from day to day, and compel the attendance of absent members. All the provisions of the existing constitution inconsistent with the provisions herein contained are hereby annulled.

Quorum, in each branch of the general court, to consist of a majority of members.

Art. XXXIV. So much of article two of section one of chapter two of part the second of the constitution of the commonwealth as is contained in the following words: "and unless he shall at the same time be seised, in his own right, of a freehold, within the commonwealth, of the value of one thousand pounds"; is hereby annulled.

Provisions of Art. II, § I, Chap. II, Part II, relative to property qualification of governor, annulled.

Art. XXXV. So much of article two of section three of chapter one of the constitution of the commonwealth as is contained in the following words: "The expenses of travelling to the general assembly, and returning home, once in every session, and no more, shall be paid by the government, out of the public treasury, to every member who shall attend as seasonably as he can, in the judgment of the house, and does not depart without leave", is hereby annulled.

Provisions of Art. II, § III, Chap. I, relative to expense of travelling to the general assembly by members of the house, annulled.

Art. XXXVI. So much of article nineteen of the articles of amendment to the constitution of the commonwealth as is contained in the following words: "commissioners of insolvency", is hereby annulled.

Amendments, Art. XIX, amended.

Art. XXXVII. The governor, with the consent of the council, may remove justices of the peace and notaries public.

Removal of certain officers.

Art. XXXVIII. Voting machines or other mechanical devices for voting may be used at all elections under such regulations as may be prescribed by law: *provided, however*, that the right of secret voting shall be preserved.

Voting machines may be used at elections. For compulsory voting, see amendments, Art. LXI.

Art. XXXIX. Article ten of part one of the constitution is hereby amended by adding to it the following words: — The legislature may by special acts for the purpose of laying out, widening or relocating highways or streets, authorize the taking in fee by the commonwealth, or by a

Powers of the legislature relative to the taking of land, etc., for widening or relocating highways, etc.

Proviso.

county, city or town, of more land and property than are needed for the actual construction of such highway or street: *provided, however*, that the land and property authorized to be taken are specified in the act and are no more in extent than would be sufficient for suitable building lots on both sides of such highway or street, and after so much of the land or property has been appropriated for such highway or street as is needed therefor, may authorize the sale of the remainder for value with or without suitable restrictions.

Amendments,
Art. III,
amended.

Art. XL. Article three of the amendments to the constitution is hereby amended by inserting after the word "guardianship", in line two, the following:—and persons temporarily or permanently disqualified by law because of corrupt practices in respect to elections.

Taxation of
wild or forest
lands.

Art. XLI. Full power and authority are hereby given and granted to the general court to prescribe for wild or forest lands such methods of taxation as will develop and conserve the forest resources of the commonwealth.

Referendum.
This article
annulled and
superseded by
amendments,
Art. XLVIII,
General Pro-
visions, VIII.

Art. XLII. [Full power and authority are hereby given and granted to the general court to refer to the people for their rejection or approval at the polls any act or resolve of the general court or any part or parts thereof. Such reference shall be by a majority yea and nay vote of all members of each house present and voting. Any act, resolve, or part thereof so referred shall be voted on at the regular state election next ensuing after such reference, shall become law if approved by a majority of the voters voting thereon, and shall take effect at the expiration of thirty days after the election at which it was approved or at such time after the expiration of the said thirty days as may be fixed in such act, resolve or part thereof.]

Powers of the
general court
relative to the
taking of land,
etc., to relieve
congestion of
population
and to provide
homes for
citizens.
Proviso.

Art. XLIII. The general court shall have power to authorize the commonwealth to take land and to hold, improve, sub-divide, build upon and sell the same, for the purpose of relieving congestion of population and providing homes for citizens: *provided, however*, that this amendment shall not be deemed to authorize the sale of such land or buildings at less than the cost thereof.

Credit of the commonwealth restricted by amendments, Art. LXII, sect. 1.

Powers of the
general court
relative to
imposing and
levying a tax
on income;
exemptions,
etc.

Art. XLIV. Full power and authority are hereby given and granted to the general court to impose and levy a tax on income in the manner hereinafter provided. Such tax may be at different rates upon income derived from different classes of property, but shall be levied at a uniform rate

throughout the commonwealth upon incomes derived from the same class of property. The general court may tax income not derived from property at a lower rate than income derived from property, and may grant reasonable exemptions and abatements. Any class of property the income from which is taxed under the provisions of this article may be exempted from the imposition and levying of proportional and reasonable assessments, rates and taxes as at present authorized by the constitution. This article shall not be construed to limit the power of the general court to impose and levy reasonable duties and excises.

Art. XLV. The general court shall have power to provide by law for voting by qualified voters of the commonwealth who, at the time of an election, are absent from the city or town of which they are inhabitants in the choice of any officer to be elected or upon any question submitted at such election.

Powers of the general court to provide by law for absentee voting. For compulsory voting, see amendments, Art. LXI.

Art. XLVI. (In place of article XVIII of the articles of amendment of the constitution ratified and adopted April 9, 1821, the following article of amendment, submitted by the constitutional convention, was ratified and adopted November 6, 1917.) **ARTICLE XVIII. SECTION 1.** No law shall be passed prohibiting the free exercise of religion.

No law to prohibit free exercise of religion. This amendment shall not be the subject of an initiative amendment. See amendments, Art. XLVIII, The initiative, II, sect. 2.

SECTION 2. All moneys raised by taxation in the towns and cities for the support of public schools, and all moneys which may be appropriated by the commonwealth for the support of common schools shall be applied to, and expended in, no other schools than those which are conducted according to law, under the order and superintendence of the authorities of the town or city in which the money is expended; and no grant, appropriation or use of public money or property or loan of public credit shall be made or authorized by the commonwealth or any political division thereof for the purpose of founding, maintaining or aiding any school or institution of learning, whether under public control or otherwise, wherein any denominational doctrine is inculcated, or any other school, or any college, infirmary, hospital, institution, or educational, charitable or religious undertaking which is not publicly owned and under the exclusive control, order and superintendence of public officers or public agents authorized by the commonwealth or federal authority or both, except that appropriations may be made for the maintenance and support of the Soldiers' Home in

Public money not to be expended to aid educational, charitable, religious or other institutions not wholly under public ownership and control, etc. Credit of the commonwealth restricted by amendments, Art. LXII, sect. 1.

Exceptions.

Massachusetts and for free public libraries in any city or town, and to carry out legal obligations, if any, already entered into; and no such grant, appropriation or use of public money or property or loan of public credit shall be made or authorized for the purpose of founding, maintaining or aiding any church, religious denomination or society.

Care or support in private hospitals, etc., of persons who are public charges.

SECTION 3. Nothing herein contained shall be construed to prevent the commonwealth, or any political division thereof, from paying to privately controlled hospitals, infirmaries, or institutions for the deaf, dumb or blind not more than the ordinary and reasonable compensation for care or support actually rendered or furnished by such hospitals, infirmaries or institutions to such persons as may be in whole or in part unable to support or care for themselves.

Inmates of certain public institutions not to be deprived of religious exercises of their own faith; nor compelled to attend religious services, etc., against their will, etc.
Time of taking effect.

SECTION 4. Nothing herein contained shall be construed to deprive any inmate of a publicly controlled reformatory, penal or charitable institution of the opportunity of religious exercises therein of his own faith; but no inmate of such institution shall be compelled to attend religious services or receive religious instruction against his will, or, if a minor, without the consent of his parent or guardian.

SECTION 5. This amendment shall not take effect until the October first next succeeding its ratification and adoption by the people.

General court to determine manner of distribution of food, etc., during time of war, etc., by the commonwealth, cities and towns.

Art. XLVII. The maintenance and distribution at reasonable rates, during time of war, public exigency, emergency or distress, of a sufficient supply of food and other common necessities of life and the providing of shelter, are public functions, and the commonwealth and the cities and towns therein may take and may provide the same for their inhabitants in such manner as the general court shall determine.

Art. XLVIII.

I. Definition.

Initiative and referendum, definition.

Legislative power shall continue to be vested in the general court; but the people reserve to themselves the popular initiative, which is the power of a specified number of voters to submit constitutional amendments and laws to the people for approval or rejection; and the popular referendum, which is the power of a specified number of voters to submit laws, enacted by the general court, to the people for their ratification or rejection.

THE INITIATIVE.

II. *Initiative Petitions.*

SECTION 1. *Contents.* — An initiative petition shall set forth the full text of the constitutional amendment or law, hereinafter designated as the measure, which is proposed by the petition.

Contents of initiative petition.

SECTION 2. *Excluded Matters.* — No measure that relates to religion, religious practices or religious institutions; or to the appointment, qualification, tenure, removal, recall or compensation of judges; or to the reversal of a judicial decision; or to the powers, creation or abolition of courts; or the operation of which is restricted to a particular town, city or other political division or to particular districts or localities of the commonwealth; or that makes a specific appropriation of money from the treasury of the commonwealth, shall be proposed by an initiative petition; but if a law approved by the people is not repealed, the general court shall raise by taxation or otherwise and shall appropriate such money as may be necessary to carry such law into effect.

Certain matters shall not be proposed by initiative petition.

Obligation upon general court, when a law is approved by the people.

Neither the eighteenth amendment of the constitution, as approved and ratified to take effect on the first day of October in the year nineteen hundred and eighteen, nor this provision for its protection, shall be the subject of an initiative amendment.

Anti-aid amendment, so-called (Art. XLVI), not to be subject of initiative amendment.

No proposition inconsistent with any one of the following rights of the individual, as at present declared in the declaration of rights, shall be the subject of an initiative or referendum petition: The right to receive compensation for private property appropriated to public use; the right of access to and protection in courts of justice; the right of trial by jury; protection from unreasonable search, unreasonable bail and the law martial; freedom of the press; freedom of speech; freedom of elections; and the right of peaceable assembly.

Certain individual rights not to be subject of initiative or referendum petition.

No part of the constitution specifically excluding any matter from the operation of the popular initiative and referendum shall be the subject of an initiative petition; nor shall this section be the subject of such a petition.

Further excluded matters.

The limitations on the legislative power of the general court in the constitution shall extend to the legislative power of the people as exercised hereunder.

Certain legislative limitations extended.

Initiative petition, mode of originating, etc.

SECTION 3. *Mode of Originating.* — Such petition shall first be signed by ten qualified voters of the commonwealth and shall then be submitted to the attorney-general, and if he shall certify that the measure is in proper form for submission to the people, and that it is not, either affirmatively or negatively, substantially the same as any measure which has been qualified for submission or submitted to the people within three years of the succeeding first Wednesday in December and that it contains only subjects not excluded from the popular initiative and which are related or which are mutually dependent, it may then be filed with the secretary of the commonwealth. The secretary of the commonwealth shall provide blanks for the use of subsequent signers, and shall print at the top of each blank a description of the proposed measure as such description will appear on the ballot together with the names and residences of the first ten signers. All initiative petitions, with the first ten signatures attached, shall be filed with the secretary of the commonwealth not earlier than the first Wednesday of the September before the assembling of the general court into which they are to be introduced, and the remainder of the required signatures shall be filed not later than the first Wednesday of the following December.

Secretary of the commonwealth to furnish blank forms, etc.

Time of filing initiative petitions.

Transmission of proposed measure to the general court.

SECTION 4. *Transmission to the General Court.* — If an initiative petition, signed by the required number of qualified voters, has been filed as aforesaid, the secretary of the commonwealth shall, upon the assembling of the general court, transmit it to the clerk of the house of representatives, and the proposed measure shall then be deemed to be introduced and pending.

III. *Legislative Action. General Provisions.*

Reference to legislative committee and report thereon.

SECTION 1. *Reference to Committee.* — If a measure is introduced into the general court by initiative petition, it shall be referred to a committee thereof, and the petitioners and all parties in interest shall be heard, and the measure shall be considered and reported upon to the general court with the committee's recommendations, and the reasons therefor, in writing. Majority and minority reports shall be signed by the members of said committee.

Legislative substitute for initiative measure.

SECTION 2. *Legislative Substitutes.* — The general court may, by resolution passed by yea and nay vote, either by the two houses separately, or in the case of a constitutional

amendment by a majority of those voting thereon in joint session in each of two years as hereinafter provided, submit to the people a substitute for any measure introduced by initiative petition, such substitute to be designated on the ballot as the legislative substitute for such an initiative measure and to be grouped with it as an alternative therefor.

IV. *Legislative Action on Proposed Constitutional Amendments.*

SECTION 1. *Definition.* — A proposal for amendment to the constitution introduced into the general court by initiative petition shall be designated an initiative amendment, and an amendment introduced by a member of either house shall be designated a legislative substitute or a legislative amendment.

Definition of initiative amendment and legislative substitute.

SECTION 2. *Joint Session.* — If a proposal for a specific amendment of the constitution is introduced into the general court by initiative petition signed by not less than twenty-five thousand qualified voters, or if in case of a proposal for amendment introduced into the general court by a member of either house, consideration thereof in joint session is called for by vote of either house, such proposal shall, not later than the second Wednesday in June, be laid before a joint session of the two houses, at which the president of the senate shall preside; and if the two houses fail to agree upon a time for holding any joint session hereby required, or fail to continue the same from time to time until final action has been taken upon all amendments pending, the governor shall call such joint session or continuance thereof.

Joint session to consider amendment to the constitution.

When governor shall call joint session.

SECTION 3. *Amendment of Proposed Amendments.* — A proposal for an amendment to the constitution introduced by initiative petition shall be voted upon in the form in which it was introduced, unless such amendment is amended by vote of three-fourths of the members voting thereon in joint session, which vote shall be taken by call of the yeas and nays if called for by any member.

Proposed amendment to the constitution, form in which to be voted upon.

SECTION 4. *Legislative Action.* — Final legislative action in the joint session upon any amendment shall be taken only by call of the yeas and nays, which shall be entered upon the journals of the two houses; and an unfavorable vote at any stage preceding final action shall be verified by call of the yeas and nays, to be entered in like manner. At such joint session a legislative amendment receiving the affirma-

Final legislative action to be taken by yeas and nays.

Reference to next general court.

tive votes of a majority of all the members elected, or an initiative amendment receiving the affirmative votes of not less than one-fourth of all the members elected, shall be referred to the next general court.

Submission of legislative amendment, etc., to the people.

SECTION 5. *Submission to the People.* — If in the next general court a legislative amendment shall again be agreed to in joint session by a majority of all the members elected, or if an initiative amendment or a legislative substitute shall again receive the affirmative votes of at least one-fourth of all the members elected, such fact shall be certified by the clerk of such joint session to the secretary of the commonwealth, who shall submit the amendment to the people at the next state election. Such amendment shall become part of the constitution if approved, in the case of a legislative amendment, by a majority of the voters voting thereon, or if approved, in the case of an initiative amendment or a legislative substitute, by voters equal in number to at least thirty per cent of the total number of ballots cast at such state election and also by a majority of the voters voting on such amendment.

When amendment becomes part of the constitution.

V. *Legislative Action on Proposed Laws.*

Legislative procedure on law proposed by initiative petition, etc.

SECTION 1. *Legislative Procedure.* — If an initiative petition for a law is introduced into the general court, signed by not less than twenty thousand qualified voters, a vote shall be taken by yeas and nays in both houses before the first Wednesday of June upon the enactment of such law in the form in which it stands in such petition. If the general court fails to enact such law before the first Wednesday of June, and if such petition is completed by filing with the secretary of the commonwealth, not earlier than the first Wednesday of the following July nor later than the first Wednesday of the following August, not less than five thousand signatures of qualified voters, in addition to those signing such initiative petition, which signatures must have been obtained after the first Wednesday of June aforesaid, then the secretary of the commonwealth shall submit such proposed law to the people at the next state election. If it shall be approved by voters equal in number to at least thirty per cent of the total number of ballots cast at such state election and also by a majority of the voters voting on such law, it shall become law, and shall take effect in thirty

When measure becomes law and takes effect.

days after such state election or at such time after such election as may be provided in such law.

SECTION 2. *Amendment by Petitioners.* — If the general court fails to pass a proposed law before the first Wednesday of June, a majority of the first ten signers of the initiative petition therefor shall have the right, subject to certification by the attorney-general, filed as hereinafter provided, to amend the measure which is the subject of such petition. An amendment so made shall not invalidate any signature attached to the petition. If the measure so amended, signed by a majority of the first ten signers, is filed with the secretary of the commonwealth before the first Wednesday of the following July, together with a certificate signed by the attorney-general to the effect that the amendment made by such proposers is in his opinion perfecting in its nature and does not materially change the substance of the measure, and if such petition is completed by filing with the secretary of the commonwealth, not earlier than the first Wednesday of the following July nor later than the first Wednesday of the following August, not less than five thousand signatures of qualified voters, in addition to those signing such initiative petition, which signatures must have been obtained after the first Wednesday of June aforesaid, then the secretary of the commonwealth shall submit the measure to the people in its amended form.

Amendment of proposed law by petitioners and submission of measure to the people by the secretary of the commonwealth.

VI. *Conflicting and Alternative Measures.*

If in any judicial proceeding, provisions of constitutional amendments or of laws approved by the people at the same election are held to be in conflict, then the provisions contained in the measure that received the largest number of affirmative votes at such election shall govern.

Conflicting and alternative measures, which shall govern when approved by the people, etc.

A constitutional amendment approved at any election shall govern any law approved at the same election.

The general court, by resolution passed as hereinbefore set forth, may provide for grouping and designating upon the ballot as conflicting measures or as alternative measures, only one of which is to be adopted, any two or more proposed constitutional amendments or laws which have been or may be passed or qualified for submission to the people at any one election: *provided*, that a proposed constitutional amendment and a proposed law shall not be so grouped, and that the

General court to provide for grouping, etc., upon the ballot.

Proviso.

Only measure receiving largest affirmative vote to be deemed approved.

ballot shall afford an opportunity to the voter to vote for each of the measures or for only one of the measures, as may be provided in said resolution, or against each of the measures so grouped as conflicting or as alternative. In case more than one of the measures so grouped shall receive the vote required for its approval as herein provided, only that one for which the largest affirmative vote was cast shall be deemed to be approved.

THE REFERENDUM.

I. When Statutes shall take Effect.

When laws passed by general court take effect.

No law passed by the general court shall take effect earlier than ninety days after it has become a law, excepting laws declared to be emergency laws and laws which may not be made the subject of a referendum petition, as herein provided.

II. Emergency Measures.

Emergency law to contain preamble.

Yea and nay vote thereon.

How governor may cause certain laws to take effect forthwith.

A law declared to be an emergency law shall contain a preamble setting forth the facts constituting the emergency, and shall contain the statement that such law is necessary for the immediate preservation of the public peace, health, safety or convenience. A separate vote shall be taken on the preamble by call of the yeas and nays, which shall be recorded, and unless the preamble is adopted by two-thirds of the members of each house voting thereon, the law shall not be an emergency law; but if the governor, at any time before the election at which it is to be submitted to the people on referendum, files with the secretary of the commonwealth a statement declaring that in his opinion the immediate preservation of the public peace, health, safety or convenience requires that such law should take effect forthwith and that it is an emergency law and setting forth the facts constituting the emergency, then such law, if not previously suspended as hereinafter provided, shall take effect without suspension, or if such law has been so suspended such suspension shall thereupon terminate and such law shall thereupon take effect: but no grant of any franchise or amendment thereof, or renewal or extension thereof for more than one year shall be declared to be an emergency law.

Exception.

III. *Referendum Petitions.*

SECTION 1. *Contents.* — A referendum petition may ask for a referendum to the people upon any law enacted by the general court which is not herein expressly excluded.

Contents of referendum petition.

SECTION 2. *Excluded Matters.* — No law that relates to religion, religious practices or religious institutions; or to the appointment, qualification, tenure, removal or compensation of judges; or to the powers, creation or abolition of courts; or the operation of which is restricted to a particular town, city or other political division or to particular districts or localities of the commonwealth; or that appropriates money for the current or ordinary expenses of the commonwealth or for any of its departments, boards, commissions or institutions shall be the subject of a referendum petition.

Certain matters shall not be the subject of a referendum petition.

SECTION 3. *Mode of Petitioning for the Suspension of a Law and a Referendum thereon.* — A petition asking for a referendum on a law, and requesting that the operation of such law be suspended, shall first be signed by ten qualified voters and shall then be filed with the secretary of the commonwealth not later than thirty days after the law that is the subject of the petition has become law. The secretary of the commonwealth shall provide blanks for the use of subsequent signers, and shall print at the top of each blank a description of the proposed law as such description will appear on the ballot together with the names and residences of the first ten signers. If such petition is completed by filing with the secretary of the commonwealth not later than ninety days after the law which is the subject of the petition has become law the signatures of not less than fifteen thousand qualified voters of the commonwealth, then the operation of such law shall be suspended, and the secretary of the commonwealth shall submit such law to the people at the next state election, if thirty days intervene between the date when such petition is filed with the secretary of the commonwealth and the date for holding such state election; if thirty days do not so intervene, then such law shall be submitted to the people at the next following state election, unless in the meantime it shall have been repealed; and if it shall be approved by a majority of the qualified voters voting thereon, such law shall, subject to the provisions of the constitution, take effect in thirty days after such election, or at such time after such election as may be provided in

Mode of petitioning for the suspension of a law and a referendum thereon.

Duties of the secretary of the commonwealth, etc.

Votes necessary for approval, etc.

such law; if not so approved such law shall be null and void; but no such law shall be held to be disapproved if the negative vote is less than thirty per cent of the total number of ballots cast at such state election.

Petitions for referendum on an emergency law or a law the suspension of which is not asked for.

SECTION 4. *Petitions for Referendum on an Emergency Law or a Law the Suspension of which is not asked for.* — A referendum petition may ask for the repeal of an emergency law or of a law which takes effect because the referendum petition does not contain a request for suspension, as aforesaid. Such petition shall first be signed by ten qualified voters of the commonwealth, and shall then be filed with the secretary of the commonwealth not later than thirty days after the law which is the subject of the petition has become law. The secretary of the commonwealth shall provide blanks for the use of subsequent signers, and shall print at the top of each blank a description of the proposed law as such description will appear on the ballot together with the names and residences of the first ten signers. If such petition filed as aforesaid is completed by filing with the secretary of the commonwealth not later than ninety days after the law which is the subject of the petition has become law the signatures of not less than ten thousand qualified voters of the commonwealth protesting against such law and asking for a referendum thereon, then the secretary of the commonwealth shall submit such law to the people at the next state election, if thirty days intervene between the date when such petition is filed with the secretary of the commonwealth and the date for holding such state election. If thirty days do not so intervene, then it shall be submitted to the people at the next following state election, unless in the meantime it shall have been repealed; and if it shall not be approved by a majority of the qualified voters voting thereon, it shall, at the expiration of thirty days after such election, be thereby repealed; but no such law shall be held to be disapproved if the negative vote is less than thirty per cent of the total number of ballots cast at such state election.

Duties of the secretary of the commonwealth, etc.

Votes necessary for approval, etc.

GENERAL PROVISIONS.

I. *Identification and Certification of Signatures.*

Identification and certification of signatures to petitions, etc.

Provision shall be made by law for the proper identification and certification of signatures to the petitions hereinbefore referred to, and for penalties for signing any such petition, or refusing to sign it, for money or other valuable

consideration, and for the forgery of signatures thereto. Pending the passage of such legislation all provisions of law relating to the identification and certification of signatures to petitions for the nomination of candidates for state offices or to penalties for the forgery of such signatures shall apply to the signatures to the petitions herein referred to. The general court may provide by law that no co-partnership or corporation shall undertake for hire or reward to circulate petitions, may require individuals who circulate petitions for hire or reward to be licensed, and may make other reasonable regulations to prevent abuses arising from the circulation of petitions for hire or reward.

Law to regulate petitions circulated for hire or reward.

II. *Limitation on Signatures.*

Not more than one-fourth of the certified signatures on any petition shall be those of registered voters of any one county.

Limitation on signatures.

III. *Form of Ballot.*

Each proposed amendment to the constitution, and each law, submitted to the people, shall be described on the ballots by a description to be determined by the attorney-general, subject to such provision as may be made by law, and the secretary of the commonwealth shall give each question a number and cause such question, except as otherwise authorized herein, to be printed on the ballot in the following form:—

Form of question on ballot, etc.

In the case of an amendment to the constitution: Shall an amendment to the constitution (here insert description, and state, in distinctive type, whether approved or disapproved by the general court, and by what vote thereon) be approved?

YES.	
NO.	

In the case of a law: Shall a law (here insert description, and state, in distinctive type, whether approved or disapproved by the general court, and by what vote thereon) be approved?

YES.	
NO.	

IV. *Information for Voters.*

The secretary of the commonwealth shall cause to be printed and sent to each registered voter in the commonwealth the full text of every measure to be submitted to the people, together with a copy of the legislative committee's majority and minority reports, if there be such, with the

Certain information for voters to be sent by secretary of the commonwealth.

names of the majority and minority members thereon, a statement of the votes of the general court on the measure, and a description of the measure as such description will appear on the ballot; and shall, in such manner as may be provided by law, cause to be prepared and sent to the voters other information and arguments for and against the measure.

V. The Veto Power of the Governor.

Governor's veto not to extend to certain measures.

The veto power of the governor shall not extend to measures approved by the people.

VI. The General Court's Power of Repeal.

Power of amendment or repeal of a law by general court.

Subject to the veto power of the governor and to the right of referendum by petition as herein provided, the general court may amend or repeal a law approved by the people.

VII. Amendment declared to be Self-executing.

This amendment to be self-executing, etc.

This article of amendment to the constitution is self-executing, but legislation not inconsistent with anything herein contained may be enacted to facilitate the operation of its provisions.

VIII. Articles IX and XLII of Amendments of the Constitution annulled.

Amendments, Arts. IX and XLII, annulled.

Article IX and Article XLII of the amendments of the constitution are hereby annulled.

Conservation, etc., of natural resources of the commonwealth.

Art. XLIX. The conservation, development and utilization of the agricultural, mineral, forest, water and other natural resources of the commonwealth are public uses, and the general court shall have power to provide for the taking, upon payment of just compensation therefor, of lands and easements or interests therein, including water and mineral rights, for the purpose of securing and promoting the proper conservation, development, utilization and control thereof and to enact legislation necessary or expedient therefor.

Regulation by law of advertising on public ways, etc.

Art. L. Advertising on public ways, in public places and on private property within public view may be regulated and restricted by law.

Art. LI. The preservation and maintenance of ancient landmarks and other property of historical or antiquarian interest is a public use, and the commonwealth and the cities and towns therein may, upon payment of just compensation, take such property or any interest therein under such regulations as the general court may prescribe.

General court may prescribe for taking ancient landmarks, etc.

Art. LII. The general court, by concurrent vote of the two houses, may take a recess or recesses amounting to not more than thirty days; but no such recess shall extend beyond the sixtieth day from the date of their first assembling.

General court may take a recess.

Art. LIII. Article X of Section I of Chapter II of the constitution, the last two paragraphs of Article IV of the articles of amendment, relating to the appointment of a commissary general and the removal of militia officers, and Article V of the articles of amendment are hereby annulled, and the following is adopted in place thereof: **ARTICLE X.** All military and naval officers shall be selected and appointed and may be removed in such manner as the general court may by law prescribe, but no such officer shall be appointed unless he shall have passed an examination prepared by a competent commission or shall have served one year in either the federal or state militia or in military service. All such officers who are entitled by law to receive commissions shall be commissioned by the governor.

Certain articles of constitution annulled and superseded.

Military and naval officers, how appointed and removed, etc.

Art. LIV. Article VII of Section I of Chapter II of the constitution is hereby annulled and the following is adopted in place thereof: **ARTICLE VII.** The general court shall provide by law for the recruitment, equipment, organization, training and discipline of the military and naval forces. The governor shall be the commander-in-chief thereof, and shall have power to assemble the whole or any part of them for training, instruction or parade, and to employ them for the suppression of rebellion, the repelling of invasion, and the enforcement of the laws. He may, as authorized by the general court, prescribe from time to time the organization of the military and naval forces and make regulations for their government.

Certain article of constitution annulled and superseded.

Military and naval forces, recruitment, etc.

Art. LV. Article VI of Section III of Chapter II of the constitution is hereby annulled and the following is adopted in place thereof: Whenever the offices of governor and lieutenant-governor shall both be vacant, by reason of death, absence from the commonwealth, or otherwise, then one of the following officers, in the order of succession herein

Certain article of constitution annulled and superseded.

Order of succession in office of governor, etc., in case of vacancy.

named, namely, the secretary, attorney-general, treasurer and receiver-general, and auditor, shall, during such vacancy, have full power and authority to do and execute all and every such acts, matters and things as the governor or the lieutenant-governor might or could lawfully do or execute, if they, or either of them, were personally present.

Return by governor to general court of bill or resolve for amendment, etc.

Art. LVI. The governor, within five days after any bill or resolve shall have been laid before him, shall have the right to return it to the branch of the general court in which it originated with a recommendation that any amendment or amendments specified by him be made therein. Such bill or resolve shall thereupon be before the general court and subject to amendment and re-enactment. If such bill or resolve is re-enacted in any form it shall again be laid before the governor for his action, but he shall have no right to return the same a second time with a recommendation to amend.

Amendments, Art. IV, amended.

Women may be appointed notaries public, etc.

Art. LVII. Article IV of the articles of amendment of the constitution of the commonwealth is hereby amended by adding thereto the following words:—Women shall be eligible to appointment as notaries public. Change of name shall render the commission void, but shall not prevent re-appointment under the new name.

Article I, Chapter III of Part the Second, amended.

Judicial officers, retirement of, etc.

Art. LVIII. Article I of Chapter III of Part the Second of the constitution is hereby amended by the addition of the following words:—and provided also that the governor, with the consent of the council, may after due notice and hearing retire them because of advanced age or mental or physical disability. Such retirement shall be subject to any provisions made by law as to pensions or allowances payable to such officers upon their voluntary retirement.

Every charter, etc., subject to revocation, etc.

Art. LIX. Every charter, franchise or act of incorporation shall forever remain subject to revocation and amendment.

Building zones in cities and towns.

Art. LX. The general court shall have power to limit buildings according to their use or construction to specified districts of cities and towns.

Compulsory voting at elections.

Art. LXI. The general court shall have authority to provide for compulsory voting at elections, but the right of secret voting shall be preserved.

Commonwealth's credit not to be given to private enterprises.

Art. LXII. SECTION 1. The credit of the commonwealth shall not in any manner be given or loaned to or in aid of any individual, or of any private association, or of any corporation which is privately owned and managed.

SECTION 2. The commonwealth may borrow money to repel invasion, suppress insurrection, defend the commonwealth, or to assist the United States in case of war, and may also borrow money in anticipation of receipts from taxes or other sources, such loan to be paid out of the revenue of the year in which it is created.

Commonwealth may borrow money for certain purposes.

SECTION 3. In addition to the loans which may be contracted as before provided, the commonwealth may borrow money only by a vote, taken by the yeas and nays, of two-thirds of each house of the general court present and voting thereon. The governor shall recommend to the general court the term for which any loan shall be contracted.

Two-thirds yeas and nays vote of general court required to borrow money.

SECTION 4. Borrowed money shall not be expended for any other purpose than that for which it was borrowed or for the reduction or discharge of the principal of the loan.

Expenditure of borrowed money limited.

Art. LXIII. SECTION 1. *Collection of Revenue.* — All money received on account of the commonwealth from any source whatsoever shall be paid into the treasury thereof.

Collection of revenue.

SECTION 2. *The Budget.* — Within three weeks after the convening of the general court the governor shall recommend to the general court a budget which shall contain a statement of all proposed expenditures of the commonwealth for the fiscal year, including those already authorized by law, and of all taxes, revenues, loans and other means by which such expenditures shall be defrayed. This shall be arranged in such form as the general court may by law prescribe, or, in default thereof, as the governor shall determine. For the purpose of preparing his budget, the governor shall have power to require any board, commission, officer or department to furnish him with any information which he may deem necessary.

The budget, contents, etc.

General court to prescribe form, etc.

Governor may require information.

SECTION 3. *The General Appropriation Bill.* — All appropriations based upon the budget to be paid from taxes or revenues shall be incorporated in a single bill which shall be called the general appropriation bill. The general court may increase, decrease, add or omit items in the budget. The general court may provide for its salaries, mileage, and expenses and for necessary expenditures in anticipation of appropriations, but before final action on the general appropriation bill it shall not enact any other appropriation bill except on recommendation of the governor. The governor may at any time recommend to the general court supplementary budgets which shall be subject to the same procedure as the original budget.

The general appropriation bill.

Supplementary budgets.

Special appropriation bills may be enacted, when.

SECTION 4. *Special Appropriation Bills.*—After final action on the general appropriation bill or on recommendation of the governor, special appropriation bills may be enacted. Such bills shall provide the specific means for defraying the appropriations therein contained.

Governor may disapprove, etc., items or parts of items in any appropriation bill, etc.

SECTION 5. *Submission to the Governor.*—The governor may disapprove or reduce items or parts of items in any bill appropriating money. So much of such bill as he approves shall upon his signing the same become law. As to each item disapproved or reduced, he shall transmit to the house in which the bill originated his reason for such disapproval or reduction, and the procedure shall then be the same as in the case of a bill disapproved as a whole. In case he shall fail so to transmit his reasons for such disapproval or reduction within five days after the bill shall have been presented to him, such items shall have the force of law unless the general court by adjournment shall prevent such transmission, in which case they shall not be law.

Items to have force of law, unless, etc.

Biennial election of state officers, councillors, senators and representatives; terms of office.

Art. LXIV. SECTION 1. The governor, lieutenant-governor, councillors, secretary, treasurer and receiver-general, attorney-general, auditor, senators and representatives, shall be elected biennially. The governor, lieutenant-governor and councillors shall hold their respective offices from the first Wednesday in January succeeding their election to and including the first Wednesday in January in the third year following their election and until their successors are chosen and qualified. The terms of senators and representatives shall begin with the first Wednesday in January succeeding their election and shall extend to the first Wednesday in January in the third year following their election and until their successors are chosen and qualified. The terms of the secretary, treasurer and receiver-general, attorney-general and auditor, shall begin with the third Wednesday in January succeeding their election and shall extend to the third Wednesday in January in the third year following their election and until their successors are chosen and qualified.

Treasurer ineligible for more than three successive terms.

SECTION 2. No person shall be eligible to election to the office of treasurer and receiver-general for more than three successive terms.

General court to assemble annually.

SECTION 3. The general court shall assemble every year on the first Wednesday in January.

When first election under this article shall be held, etc.

SECTION 4. The first election to which this article shall apply shall be held on the Tuesday next after the first Mon-

day in November in the year nineteen hundred and twenty, and thereafter elections for the choice of all the officers before-mentioned shall be held biennially on the Tuesday next after the first Monday in November.

Art. LXV. No person elected to the general court shall during the term for which he was elected be appointed to any office created or the emoluments whereof are increased during such term, nor receive additional salary or compensation for service upon any recess committee or commission except a committee appointed to examine a general revision of the statutes of the commonwealth when submitted to the general court for adoption.

Members of the general court not to be appointed to certain offices, nor receive compensation on recess committees, except, etc.

Art. LXVI. On or before January first, nineteen hundred twenty-one, the executive and administrative work of the commonwealth shall be organized in not more than twenty departments, in one of which every executive and administrative office, board and commission, except those officers serving directly under the governor or the council, shall be placed. Such departments shall be under such supervision and regulation as the general court may from time to time prescribe by law.

Organization of not more than twenty departments to perform the executive and administrative work of the commonwealth, except, etc.

The constitution of Massachusetts was agreed upon by delegates of the people, in convention, begun and held at Cambridge, on the first day of September, 1779, and continued by adjournments to the second day of March, 1780, when the convention adjourned to meet on the first Wednesday of the ensuing June. In the mean time the constitution was submitted to the people, to be adopted by them, provided two-thirds of the votes given should be in the affirmative. When the convention assembled, it was found that the constitution had been adopted by the requisite number of votes, and the convention accordingly *Resolved*, "That the said Constitution or Frame of Government shall take place on the last Wednesday of October next; and not before, for any purpose, save only for that of making elections, agreeable to this resolution." The first legislature assembled at Boston, on the twenty-fifth day of October, 1780.

The first nine Articles of Amendment were submitted, by delegates in convention assembled, November 15, 1820, to the people, and by them ratified and adopted April 9, 1821.

CONSTITUTION OF THE

The tenth Article was adopted by the legislatures of the political years 1829-30 and 1830-31, respectively, and was approved and ratified by the people May 11, 1831.

The eleventh Article was adopted by the legislatures of the political years 1832 and 1833, respectively, and was approved and ratified by the people November 11, 1833.

The twelfth Article was adopted by the legislatures of the political years 1835 and 1836, respectively, and was approved and ratified by the people the fourteenth day of November, 1836.

The thirteenth Article was adopted by the legislatures of the political years 1839 and 1840, respectively, and was approved and ratified by the people the sixth day of April, 1840.

The General Court of the year 1851 passed an Act calling a third Convention to revise the Constitution. The Act was submitted to the people, and a majority voted against the proposed Convention. In 1852, on the 7th of May, another Act was passed calling upon the people to vote upon the question of calling a Constitutional Convention. A majority of the people having voted in favor of the proposed Convention, election for delegates thereto took place in March, 1853. The Convention met in the State House, in Boston, on the 4th day of May, 1853, and organized by choosing Nathaniel P. Banks, Jr., President, and William S. Robinson and James T. Robinson, Secretaries. On the 1st of August, this Convention agreed to a form of Constitution, and on the same day was dissolved, after having provided for submitting the same to the people, and appointed a committee to meet to count the votes, and to make a return thereof to the General Court. The Committee met at the time and place agreed upon, and found that the proposed Constitution had been rejected.

The fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, and nineteenth Articles were adopted by the legislatures of the political years 1854 and 1855, respectively, and ratified by the people the twenty-third day of May, 1855.

The twentieth, twenty-first, and twenty-second Articles were adopted by the legislatures of the political years 1856 and 1857, respectively, and ratified by the people on the first day of May, 1857.

The twenty-third Article was adopted by the legislatures of the political years 1858 and 1859, respectively, and ratified by the people on the ninth day of May, 1859, and was repealed by the twenty-sixth Amendment.

The twenty-fourth and twenty-fifth Articles were adopted by the legislatures of the political years 1859 and 1860, and ratified by the people on the seventh day of May, 1860.

The twenty-sixth Article was adopted by the legislatures of the political years 1862 and 1863, and ratified by the people on the sixth day of April, 1863.

The twenty-seventh Article was adopted by the legislatures of the political years 1876 and 1877, and was approved and ratified by the people on the sixth day of November, 1877.

The twenty-eighth Article was adopted by the legislatures of the political years 1880 and 1881, and was approved and ratified by the people on the eighth day of November, 1881.

The twenty-ninth Article was adopted by the legislatures of the political years 1884 and 1885, and was approved and ratified by the people on the third day of November, 1885.

The thirtieth and thirty-first Articles were adopted by the legislatures of the political years 1889 and 1890, and were approved and ratified by the people on the fourth day of November, 1890.

The thirty-second and thirty-third Articles were adopted by the legislatures of the political years 1890 and 1891, and were approved and ratified by the people on the third day of November, 1891.

The thirty-fourth Article was adopted by the legislatures of the political years 1891 and 1892, and was approved and ratified by the people on the eighth day of November, 1892.

The thirty-fifth Article was adopted by the legislatures of the political years 1892 and 1893, and was approved and ratified by the people on the seventh day of November, 1893.

The thirty-sixth Article was adopted by the legislatures of the political years 1893 and 1894, and was approved and ratified by the people on the sixth day of November, 1894.

CONSTITUTION OF THE

The thirty-seventh Article was adopted by the legislatures of the political years 1906 and 1907, and was approved and ratified by the people on the fifth day of November, 1907.

The thirty-eighth Article was adopted by the legislatures of the political years 1909 and 1910, and was approved and ratified by the people on the seventh day of November, 1911.

The thirty-ninth Article was adopted by the legislatures of the political years 1910 and 1911, and was approved and ratified by the people on the seventh day of November, 1911.

The fortieth and forty-first Articles were adopted by the legislatures of the political years 1911 and 1912, and were approved and ratified by the people on the fifth day of November, 1912.

The forty-second Article was adopted by the legislatures of the political years 1912 and 1913, and was approved and ratified by the people on the fourth day of November, 1913.

The forty-third and forty-fourth Articles were adopted by the legislatures of the political years 1914 and 1915, and were approved and ratified by the people on the second day of November, 1915.

In his inaugural address to the General Court of 1916, Governor McCall recommended that the question of revising the Constitution, through a Constitutional Convention, be submitted to the people; and the General Court passed a law (chapter 98 of the General Acts of 1916) to ascertain and carry out the will of the people relative thereto, the question to be submitted being "Shall there be a convention to revise, alter or amend the constitution of the Commonwealth?" The people voted on this question at the annual election, held on November 7, casting 217,293 votes in the affirmative and 120,979 votes in the negative; and accordingly the Governor on Dec. 19, 1916, made proclamation to that effect, and, by virtue of authority contained in the act, called upon the people to elect delegates at a special election to be held on the first Tuesday in May, 1917. The election was on May 1. In accordance with the provisions of the act, the delegates met at the State House on June 6, 1917, and organized by choosing John L. Bates, president, and James W. Kimball, secretary. After considering and acting adversely on numerous measures that had been brought before it,

and after providing for submitting to the people the forty-fifth, forty-sixth and forty-seventh Articles, at the state election of 1917, and the Article relative to the establishment of the popular initiative and referendum and the legislative initiative of specific amendments of the Constitution (Article forty-eight) at the state election of 1918, the Convention adjourned on November 28 "until called by the President or Secretary to meet not later than within ten days after the prorogation of the General Court of 1918."

The forty-fifth, forty-sixth, and forty-seventh Articles were submitted, by delegates in convention assembled, September 28, 1917, August 30, 1917, and October 11, 1917, respectively, to the people, and by them ratified and adopted November 6, 1917.

On Wednesday, June 12, 1918, the convention reassembled and resumed its work. Eighteen more articles (Articles forty-nine to sixty-six, inclusive) were approved by the convention and were ordered to be submitted to the people. On Wednesday, August 21, 1918, the convention adjourned, "to meet, subject to call by the President or Secretary, not later than within twenty days after the prorogation of the General Court of 1919, for the purpose of taking action on the report of the special committee on Rearrangement of the Constitution."

The forty-eighth Article was submitted, by delegates in convention assembled, November 28, 1917, the forty-ninth Article, August 7, 1918, the fiftieth to the sixtieth Articles, inclusive, August 15, 1918, the sixty-first to the sixty-fourth Articles, inclusive, August 20, 1918, and the sixty-fifth and sixty-sixth Articles, August 21, 1918, to the people, and by them ratified and adopted, November 5, 1918.

On Tuesday, August 12, 1919, pursuant to a call of its President, the Convention again convened. A rearrangement of the Constitution was adopted, and was ordered to be submitted to the people for their ratification. On the following day, a sub-committee of the Special Committee on Rearrangement of the Constitution was "empowered to correct clerical and typographical errors and establish the text of the rearrangement of the Constitution to be submitted to the people, in conformity with that adopted by the Convention."

On Wednesday, August 13, 1919, the Convention adjourned, *sine die*.

On Tuesday, November 4, 1919, the rearrangement was approved and ratified by the people.

PROPOSED AMENDMENTS REJECTED BY THE
PEOPLE.

[A proposed Article of Amendment prohibiting the manufacture and sale of Intoxicating Liquor as a beverage, adopted by the legislatures of the political years 1888 and 1889, was rejected by the people on the twenty-second day of April, 1889.]

[Proposed Articles of Amendment, (1) Establishing biennial elections of state officers, and (2) Establishing biennial elections of members of the General Court, adopted by the legislatures of the political years 1895 and 1896, were rejected by the people at the annual election held on the third day of November, 1896.]

[A proposed Article of Amendment to make Women eligible to appointment as Notaries Public, adopted by the legislatures of the political years 1912 and 1913, was rejected by the people on the fourth day of November, 1913.]

[A proposed Article of Amendment enabling Women to vote, adopted by the legislatures of the political years 1914 and 1915, was rejected by the people on the second day of November, 1915.]

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THE REARRANGEMENT OF THE CONSTITUTION
SUBMITTED BY THE CONSTITUTIONAL CONVENTION AND
RATIFIED BY THE PEOPLE

AT THE

STATE ELECTION, NOVEMBER 4, 1919

As to the effect of the ratification of the Rearrangement of the Constitution by the People, November 4, 1919, see Opinion of the Justices, 233 Mass. 603, and Loring v. Young, decided August 8, 1921.

A CONSTITUTION
OR
FORM OF GOVERNMENT

FOR
The Commonwealth of Massachusetts

[REARRANGEMENT.]

PREAMBLE.

The end of the institution, maintenance, and administration of government, is to secure the existence of the body politic, to protect it, and to furnish the individuals who compose it with the power of enjoying in safety and tranquillity their natural rights, and the blessings of life: and whenever these great objects are not obtained, the people have a right to alter the government, and to take measures necessary for their safety, prosperity, and happiness.

Objects of
government.

The body politic is formed by a voluntary association of individuals: it is a social compact, by which the whole people covenants with each citizen, and each citizen with the whole people, that all shall be governed by certain laws for the common good. It is the duty of the people, therefore, in framing a constitution of government, to provide for an equitable mode of making laws, as well as for an impartial interpretation and a faithful execution of them; that every man may, at all times, find his security in them.

Body politic,
how formed.
Its nature.

We, therefore, the people of Massachusetts, inhabiting the territory formerly called the Province of Massachusetts Bay, acknowledging, with grateful hearts, the goodness of the Great Legislator of the universe, in affording us, in the course of His providence, an opportunity, deliberately and peaceably, without fraud, violence, or surprise, of entering into an original, explicit, and solemn compact with each other; and of forming a new constitution of civil govern-

Body politic
established
under the
name of
The Common-
wealth of Mas-
sachusetts.

ment, for ourselves and posterity; and devoutly imploring His direction in so interesting a design, do hereby solemnly and mutually agree with each other, to form ourselves into a free, sovereign, and independent body politic, or state, by the name of The Commonwealth of Massachusetts, and do agree upon, ordain, and establish, the following DECLARATION OF RIGHTS, AND FRAME OF GOVERNMENT, AS THE CONSTITUTION thereof.

A DECLARATION OF THE RIGHTS OF THE INHABITANTS OF THE COMMONWEALTH OF MASSACHUSETTS.

Equality and natural rights of all men.

ARTICLE 1. All men are born free and equal, and have certain natural, essential, and unalienable rights; among which may be reckoned the right of enjoying and defending their lives and liberties; that of acquiring, possessing, and protecting property; in fine, that of seeking and obtaining their safety and happiness.

Right and duty of public religious worship. Protection therein.

ART. 2. It is the right as well as the duty of all men in society, publicly, and at stated seasons, to worship the SUPREME BEING, the Great Creator and Preserver of the universe. And no subject shall be hurt, molested, or restrained, in his person, liberty, or estate, for worshipping God in the manner and season most agreeable to the dictates of his own conscience; or for his religious profession or sentiments; provided he doth not disturb the public peace, or obstruct others in their religious worship.

Religious freedom established.

ART. 3. *Section 1.* As the public worship of God and instructions in piety, religion, and morality, promote the happiness and prosperity of a people, and the security of a republican government; therefore, the several religious societies of this commonwealth, whether corporate or unincorporate, at any meeting legally warned and holden for that purpose, shall ever have the right to elect their pastors or religious teachers, to contract with them for their support, to raise money for erecting and repairing houses for public worship, for the maintenance of religious instruction, and for the payment of necessary expenses; and all persons belonging to any religious society shall be taken and held to be members, until they shall file with the clerk of such society a written notice, declaring the dissolution of their membership, and thenceforth shall not be liable for any grant or contract which may be thereafter made, or entered into by

such society; and all religious sects and denominations, demeaning themselves peaceably, and as good citizens of the commonwealth, shall be equally under the protection of the law; and no subordination of any one sect or denomination to another shall ever be established by law.

Section 2. No law shall be passed prohibiting the free exercise of religion.

No law to prohibit free exercise of religion.

All moneys raised by taxation in the towns and cities for the support of public schools, and all moneys which may be appropriated by the commonwealth for the support of common schools shall be applied to, and expended in, no other schools than those which are conducted according to law, under the order and superintendence of the authorities of the town or city in which the money is expended; and no grant, appropriation or use of public money or property or loan of public credit shall be made or authorized by the commonwealth or any political division thereof for the purpose of founding, maintaining or aiding any school or institution of learning, whether under public control or otherwise, wherein any denominational doctrine is inculcated, or any other school, or any college, infirmary, hospital, institution, or educational, charitable or religious undertaking which is not publicly owned and under the exclusive control, order and superintendence of public officers or public agents authorized by the commonwealth or federal authority or both, except that appropriations may be made for the maintenance and support of the Soldiers' Home in Massachusetts and for free public libraries in any city or town, and to carry out legal obligations, if any, already entered into; and no such grant, appropriation or use of public money or property or loan of public credit shall be made or authorized for the purpose of founding, maintaining or aiding any church, religious denomination or society.

Public money not to be expended to aid educational, charitable, religious or other institutions not wholly under public ownership and control, etc.

Exceptions.

Nothing herein contained shall be construed to prevent the commonwealth, or any political division thereof, from paying to privately controlled hospitals, infirmaries, or institutions for the deaf, dumb or blind not more than the ordinary and reasonable compensation for care or support actually rendered or furnished by such hospitals, infirmaries or institutions to such persons as may be in whole or in part unable to support or care for themselves.

Care or support in private hospitals, etc., of persons who are public charges.

Nothing herein contained shall be construed to deprive any inmate of a publicly controlled reformatory, penal or

Inmates of certain public institutions not to be

deprived of religious exercises of their own faith; nor compelled to attend religious services, etc., against their will, etc.
Right of self government secured.

Accountability of all officers, etc.

Services rendered to the public being the only title to peculiar privileges, hereditary offices are absurd and unnatural.

Objects of government; right of people to institute and change it.

Right of people to secure rotation in office.

All, having the qualifications prescribed, equally eligible to office. For the definition of "inhabitant," see Art. 46.

charitable institution of the opportunity of religious exercises therein of his own faith; but no inmate of such institution shall be compelled to attend religious services or receive religious instruction against his will, or, if a minor, without the consent of his parent or guardian.

ART. 4. The people of this commonwealth have the sole and exclusive right of governing themselves, as a free, sovereign, and independent state; and do, and forever hereafter shall, exercise and enjoy every power, jurisdiction, and right, which is not, or may not hereafter be, by them expressly delegated to the United States of America.

ART. 5. All power residing originally in the people, and being derived from them, the several magistrates and officers of government, vested with authority, whether legislative, executive, or judicial, are their substitutes and agents, and are at all times accountable to them.

ART. 6. No man, nor corporation, or association of men, have any other title to obtain advantages, or particular and exclusive privileges, distinct from those of the community, than what arises from the consideration of services rendered to the public; and this title being in nature neither hereditary, nor transmissible to children, or descendants, or relations by blood, the idea of a man born a magistrate, lawgiver, or judge, is absurd and unnatural.

ART. 7. Government is instituted for the common good; for the protection, safety, prosperity, and happiness of the people; and not for the profit, honor, or private interest of any one man, family, or class of men: Therefore the people alone have an incontestable, unalienable, and indefeasible right to institute government; and to reform, alter, or totally change the same, when their protection, safety, prosperity, and happiness require it.

ART. 8. In order to prevent those who are vested with authority from becoming oppressors, the people have a right, at such periods and in such manner as they shall establish by their frame of government, to cause their public officers to return to private life; and to fill up vacant places by certain and regular elections and appointments.

ART. 9. All elections ought to be free; and all the inhabitants of this commonwealth, having such qualifications as they shall establish by their frame of government, have an equal right to elect officers, and to be elected, for public employments.

ART. 10. Each individual of the society has a right to be protected by it in the enjoyment of his life, liberty, and property, according to standing laws. He is obliged, consequently, to contribute his share to the expense of this protection; to give his personal service, or an equivalent, when necessary: but no part of the property of any individual can, with justice, be taken from him, or applied to public uses, without his own consent, or that of the representative body of the people. In fine, the people of this commonwealth are not contrrollable by any other laws than those to which their constitutional representative body have given their consent. And whenever the public exigencies require that the property of any individual should be appropriated to public uses, he shall receive a reasonable compensation therefor.

Right of protection and duty of contribution correlative. Taxation founded on consent.

Private property not to be taken for public uses without, etc.

ART. 11. Every subject of the commonwealth ought to find a certain remedy, by having recourse to the laws, for all injuries or wrongs which he may receive in his person, property, or character. He ought to obtain right and justice freely, and without being obliged to purchase it; completely, and without any denial; promptly, and without delay; conformably to the laws.

Remedies, by recourse to the law, to be free, complete and prompt.

ART. 12. No subject shall be held to answer for any crimes or offence, until the same is fully and plainly, substantially and formally, described to him; or be compelled to accuse, or furnish evidence against himself. And every subject shall have a right to produce all proofs that may be favorable to him; to meet the witnesses against him face to face, and to be fully heard in his defence by himself, or his counsel, at his election. And no subject shall be arrested, imprisoned, despoiled, or deprived of his property, immunities, or privileges, put out of the protection of the law, exiled, or deprived of his life, liberty, or estate, but by the judgment of his peers, or the law of the land. And the legislature shall not make any law that shall subject any person to a capital or infamous punishment, excepting for the government of the army and navy, without trial by jury.

Prosecutions regulated.

Right to trial by jury in criminal cases, except, etc.

The privilege and benefit of the writ of *habeas corpus* shall be enjoyed in this commonwealth, in the most free, easy, cheap, expeditious, and ample manner; and shall not be suspended by the legislature, except upon the most urgent and pressing occasions, and for a limited time, not exceeding twelve months.

Benefit of *habeas corpus* secured, except, etc.

Crimes to be proved in the vicinity.

Right of search and seizure regulated. Const. of U. S., Amendment IV.

Right of trial by jury sacred, except, etc. Const. of U. S., Amendment VII.

Liberty of the press.

Right to keep and bear arms. Standing armies dangerous. Military power subordinate to civil.

Moral qualifications for office.

Moral obligations of law-givers and magistrates.

Right of people to instruct representatives and petition legislature.

ART. 13. In criminal prosecutions, the verification of facts, in the vicinity where they happen, is one of the greatest securities of the life, liberty, and property of the citizen.

ART. 14. Every subject has a right to be secure from all unreasonable searches, and seizures, of his person, his houses, his papers, and all his possessions. All warrants, therefore, are contrary to this right, if the cause or foundation of them be not previously supported by oath or affirmation, and if the order in the warrant to a civil officer, to make search in suspected places, or to arrest one or more suspected persons, or to seize their property, be not accompanied with a special designation of the persons or objects of search, arrest, or seizure: and no warrant ought to be issued but in cases, and with the formalities prescribed by the laws.

ART. 15. In all controversies concerning property, and in all suits between two or more persons, except in cases in which it has heretofore been otherways used and practised, the parties have a right to a trial by jury; and this method of procedure shall be held sacred, unless, in causes arising on the high seas, and such as relate to mariners' wages, the legislature shall hereafter find it necessary to alter it.

ART. 16. The liberty of the press is essential to the security of freedom in a state: it ought not, therefore, to be restrained in this commonwealth.

ART. 17. The people have a right to keep and to bear arms for the common defence. And as, in time of peace, armies are dangerous to liberty, they ought not to be maintained without the consent of the legislature; and the military power shall always be held in an exact subordination to the civil authority, and be governed by it.

ART. 18. A frequent recurrence to the fundamental principles of the constitution, and a constant adherence to those of piety, justice, moderation, temperance, industry, and frugality, are absolutely necessary to preserve the advantages of liberty, and to maintain a free government. The people ought, consequently, to have a particular attention to all those principles, in the choice of their officers and representatives: and they have a right to require of their law-givers and magistrates an exact and constant observance of them, in the formation and execution of the laws necessary for the good administration of the commonwealth.

ART. 19. The people have a right, in an orderly and peaceable manner, to assemble to consult upon the common good; give instructions to their representatives, and to re-

quest of the legislative body, by the way of addresses, petitions, or remonstrances, redress of the wrongs done them, and of the grievances they suffer.

ART. 20. The power of suspending the laws, or the execution of the laws, ought never to be exercised but by the legislature, or by authority derived from it, to be exercised in such particular cases only as the legislature shall expressly provide for.

Power to suspend the laws or their execution.

ART. 21. The freedom of deliberation, speech, and debate, in either house of the legislature, is so essential to the rights of the people, that it cannot be the foundation of any accusation or prosecution, action or complaint, in any other court or place whatsoever.

Freedom of debate, etc., and reason therefor.

ART. 22. The legislature ought frequently to assemble for the redress of grievances, for correcting, strengthening, and confirming the laws, and for making new laws, as the common good may require.

Frequent sessions, and objects thereof.

ART. 23. No subsidy, charge, tax, impost, or duties ought to be established, fixed, laid, or levied, under any pretext whatsoever, without the consent of the people or their representatives in the legislature.

Taxation founded on consent.

ART. 24. Laws made to punish for actions done before the existence of such laws, and which have not been declared crimes by preceding laws, are unjust, oppressive, and inconsistent with the fundamental principles of a free government.

Ex post facto laws prohibited.

ART. 25. No subject ought, in any case, or in any time, to be declared guilty of treason or felony by the legislature.

Legislature not to convict of treason, etc.

ART. 26. No magistrate or court of law shall demand excessive bail or sureties, impose excessive fines, or inflict cruel or unusual punishments.

Excessive bail or fines, and cruel punishments, prohibited.

ART. 27. In time of peace, no soldier ought to be quartered in any house without the consent of the owner; and in time of war, such quarters ought not to be made but by the civil magistrate, in a manner ordained by the legislature.

No soldier to be quartered in any house, unless, etc.

ART. 28. No person can in any case be subject to law-martial, or to any penalties or pains, by virtue of that law, except those employed in the army or navy, and except the militia in actual service, but by authority of the legislature.

Citizens exempt from law-martial, unless, etc.

ART. 29. It is essential to the preservation of the rights of every individual, his life, liberty, property, and character, that there be an impartial interpretation of the laws, and administration of justice. It is the right of every citizen to be tried by judges as free, impartial, and independent as

Judges of supreme judicial court.

the lot of humanity will admit. It is, therefore, not only the best policy, but for the security of the rights of the people, and of every citizen, that the judges of the supreme judicial court should hold their offices as long as they behave themselves well; and that they should have honorable salaries ascertained and established by standing laws.

Separation of executive, judicial, and legislative departments.

ART. 30. In the government of this commonwealth, the legislative department shall never exercise the executive and judicial powers, or either of them: the executive shall never exercise the legislative and judicial powers, or either of them: the judicial shall never exercise the legislative and executive powers, or either of them: to the end it may be a government of laws and not of men.

THE FRAME OF GOVERNMENT.

SUFFRAGE. ELECTIONS. TERMS OF OFFICE.

Qualifications of voters for governor, lieutenant-governor, senators and representatives.

ART. 31. Every male citizen of twenty-one years of age and upwards, excepting paupers and persons under guardianship, and persons temporarily or permanently disqualified by law because of corrupt practices in respect to elections, who shall have resided within the commonwealth one year, and within the city or town in which he may claim a right to vote, six calendar months next preceding any election of governor, lieutenant-governor, senators, or representatives, shall have a right to vote in such election of governor, lieutenant-governor, senators, and representatives; and no other person shall be entitled to vote in such election.

Reading constitution in English and writing, necessary qualifications of voters.
Proviso.

ART. 32. No person shall have the right to vote, or be eligible to office under the constitution of this commonwealth, who shall not be able to read the constitution in the English language, and write his name: provided, however, that these provisions shall not apply to any person prevented by physical disability from complying with them, nor to any person who had the right to vote when these provisions were adopted.

Person who served in army or navy, etc., not disqualified from voting for receiving municipal aid or for non-payment of poll tax.
Voters not disqualified by reason of

ART. 33. No person having served in the army or navy of the United States in time of war, and having been honorably discharged from such service, if otherwise qualified to vote, shall be disqualified therefor on account of receiving or having received aid from any city or town, or because of the non-payment of a poll tax.

ART. 34. No person, otherwise qualified to vote in elections for governor, lieutenant-governor, senators, and repre-

sentatives, shall, by reason of a change of residence within the commonwealth, be disqualified from voting for said officers in the city or town from which he has removed his residence, until the expiration of six calendar months from the time of such removal.

change of residence until six months from time of removal.

ART. 35. The general court shall have power to provide by law for voting by qualified voters of the commonwealth who, at the time of an election, are absent from the city or town of which they are inhabitants, in the choice of any officer to be elected or upon any question submitted at such election.

General court to provide by law for absent voting.

ART. 36. In all elections of civil officers by the people of this commonwealth, whose election is provided for by the constitution, the person having the highest number of votes shall be deemed and declared to be elected.

Plurality of votes shall elect by the people.

ART. 37. Voting machines or other mechanical devices for voting may be used at all elections under such regulations as may be prescribed by law, and the general court shall have authority to provide for compulsory voting at elections; provided that the right of secret voting shall be preserved.

Voting machines permitted at elections.

Compulsory voting.
Proviso.

ART. 38. The general court shall have full power and authority to provide for the inhabitants of the towns in this commonwealth more than one place of public meeting within the limits of each town for the election of officers under the constitution, and to prescribe the manner of calling, holding and conducting such meetings.

Voting precincts in towns.

ART. 39. Beginning with the Tuesday next after the first Monday in November in the year nineteen hundred and twenty, the governor, lieutenant-governor, councillors, secretary, treasurer, attorney-general, auditor, senators and representatives shall be elected biennially, and thereafter elections for the choice of these officers shall be held biennially on the Tuesday next after the first Monday in November. The governor, lieutenant-governor and councillors shall hold their respective offices from the first Wednesday in January succeeding their election to and including the first Wednesday in January in the third year following their election, and until their successors are chosen and qualified. The terms of senators and representatives shall begin with the first Wednesday in January succeeding their election and shall extend to the first Wednesday in January in the third year following their election. The terms of the secretary, treasurer, attorney-general and auditor shall begin with the third Wednesday in January succeeding their election and

Biennial election of state officers, councillors, senators and representatives; when first election shall be held.

Terms of office.

shall extend to the third Wednesday in January in the third year following their election and until their successors are chosen and qualified.

Elections to be held by the two houses of the legislature, completion of.

Order of filling vacancies in certain offices.

ART. 40. Elections appointed to be held by the two houses of the legislature on the first Wednesday in January or at any other time, if not completed on the day appointed may be adjourned from day to day until the same shall be completed. Vacancies in the office of governor and lieutenant-governor shall be first filled in the order named and then vacancies in the council.

THE LEGISLATIVE DEPARTMENT.

THE GENERAL COURT.

Legislative department.

ART. 41. The department of legislation shall be formed by two branches, a Senate and House of Representatives; each of which shall have a negative on the other.

Commencement and termination of political year.
General court to assemble annually, etc.

The political year shall begin on the first Wednesday in January, and the general court shall assemble every year on the first Wednesday in January, and at such other times as they shall judge necessary, or when called together by the governor; and shall dissolve and be dissolved on the day next preceding the first Wednesday in January in the third year following their election, without any proclamation or other act of the governor, and shall be styled, THE GENERAL COURT OF MASSACHUSETTS.

Quorum, in each branch of the general court, to consist of a majority of members.

General court may take recess.

A majority of the members of each branch of the general court shall constitute a quorum for the transaction of business, but a less number may adjourn from day to day, and compel the attendance of absent members. By concurrent vote of the two houses, the general court may take a recess or recesses amounting to not more than thirty days; but no such recess shall extend beyond the sixtieth day from the date of their annual assembling.

The enacting style by the general court.

The enacting style, in making and passing all acts, statutes, and laws, shall be—“Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same.”

Members of the general court not to be appointed to certain offices, nor receive compensation on recess committees, except, etc.

ART. 42. No person elected to the general court shall during the term for which he was elected be appointed to any office created or the emoluments whereof are increased during such term, nor receive additional salary or compensation for service upon any recess committee or commission except a committee appointed to examine a general revision

of the statutes of the commonwealth when submitted to the general court for adoption.

ART. 43. No bill or resolve of the senate or house of representatives shall become a law, and have force as such, until it shall have been laid before the governor for his revision; and if he, upon such revision, approve thereof, he shall signify his approbation by signing the same. But if he have any objection to the passing of such bill or resolve, he shall return the same, together with his objections thereto, in writing, to the senate or house of representatives, in whichsoever the same shall have originated; who shall enter the objections sent down by the governor, at large, on their records, and proceed to reconsider the said bill or resolve. But if after such reconsideration, two-thirds of the said senate or house of representatives, shall, notwithstanding the said objections, agree to pass the same, it shall, together with the objections, be sent to the other branch of the legislature, where it shall also be reconsidered, and if approved by two-thirds of the members present, shall have the force of a law: but in all such cases, the votes of both houses shall be determined by yeas and nays; and the names of the persons voting for, or against, the said bill or resolve, shall be entered upon the public records of the commonwealth.

Governor's veto.

Bill may be passed by two-thirds of each house, notwithstanding.

The governor, within five days after any bill or resolve shall have been laid before him, shall have the right to return it to the branch of the general court in which it originated with a recommendation that any amendment or amendments specified by him be made therein. Such bill or resolve shall thereupon be before the general court and subject to amendment and re-enactment. If such bill or resolve is re-enacted in any form it shall again be laid before the governor for his action, but he shall have no right to return the same a second time with a recommendation to amend.

Return by governor to general court of bill or resolve for amendment, etc.

In order to prevent unnecessary delays, if any bill or resolve shall not be returned by the governor within five days after it shall have been presented, the same shall have the force of a law.

When bill or resolve to have force of a law.

If any bill or resolve shall be objected to, and not approved by the governor; and if the general court shall adjourn within five days after the same shall have been laid before the governor for his approbation, and thereby prevent his returning it with his objections, as provided by the constitution, such bill or resolve shall not become a law, nor have force as such.

Bill, etc., not approved within five days, not to become a law, if general court adjourn in the meantime.

THE SENATE.

Census of inhabitants, when taken, etc.

Special enumeration of legal voters, etc.

Enumeration to determine apportionment of senators.

Senate, number of members, districts, etc.

Proviso.

Qualifications of senators.

Manner and time of choosing senators.

Persons qualified to vote.

Word "inhabitant" defined.

ART. 44. A census of the inhabitants of each city and town, on the first day of May, shall be taken and returned into the office of the secretary of the commonwealth, on or before the last day of June, in the year one thousand nine hundred and twenty-five; and every tenth year thereafter. In the census aforesaid, a special enumeration shall be made of the legal voters, and in each city such enumeration shall specify the number of legal voters aforesaid, residing in each ward of such city. The enumeration aforesaid shall determine the apportionment of senators for the periods between the taking of the census.

ART. 45. The senate shall consist of forty members. The general court shall, at its first session after each next preceding special enumeration, divide the commonwealth into forty districts of adjacent territory, each district to contain, as nearly as may be, an equal number of legal voters, according to the enumeration aforesaid: provided, however, that no town or ward of a city shall be divided therefor; and such districts shall be formed, as nearly as may be, without uniting two counties, or parts of two or more counties, into one district.

Each district shall elect biennially for the term of two years one senator, who shall have been an inhabitant of this commonwealth five years at least immediately preceding his election, and at the time of his election shall be an inhabitant of the district for which he is chosen; and he shall cease to represent such senatorial district when he shall cease to be an inhabitant of the commonwealth.

ART. 46. The senate shall be the first branch of the legislature; and the senators shall be chosen in the following manner: there shall be a meeting on the Tuesday next after the first Monday in November, biennially, of the inhabitants of each town in the several counties of this commonwealth; to be called by the selectmen, and warned in due course of law, at least seven days before such Tuesday, for the purpose of electing persons to be senators; and at such meetings every male inhabitant of twenty-one years of age and upwards, qualified as provided in this constitution, shall have a right to give in his vote for the senator for the district of which he is an inhabitant. And to remove all doubts concerning the meaning of the word "inhabitant" in this con-

stitution, every person shall be considered as an inhabitant, for the purpose of electing and being elected into any office, or place within this state, in that city or town where he dwelleth, or hath his home.

The selectmen of the several towns shall preside at such meetings impartially; and shall receive the votes of all the inhabitants of such towns present and qualified to vote for senators, and shall sort and count them in open town meeting, and in presence of the town clerk, who shall make a fair record, in presence of the selectmen, and in open town meeting, of the name of every person voted for, and of the number of votes against his name: and a fair copy of this record shall be attested by the selectmen and the town clerk, and shall be sealed up, directed to the secretary of the commonwealth for the time being, with a superscription, expressing the purport of the contents thereof, and delivered by the town clerk of such towns, to the sheriff of the county in which such town lies, thirty days at least before the first Wednesday in January biennially; or it shall be delivered into the secretary's office seventeen days at least before the said first Wednesday in January: and the sheriff of each county shall deliver all such certificates by him received into the secretary's office, seventeen days before such first Wednesday.

Selectmen to
preside at
town meetings.

Return
of votes.

ART. 47. And that there may be a due convention of senators on the first Wednesday in January annually, the governor with five of the council, for the time being, shall, as soon as may be after each biennial election, examine the returned copies of such records; and after each biennial election fourteen days before such Wednesday he shall issue his summons to such persons as shall appear to be chosen by the highest number of votes to attend on that day, and take their seats accordingly.

Governor and
council to
examine and
count votes,
and issue
summonses.

ART. 48. The senate shall be the final judge of the elections, returns and qualifications of their own members, as pointed out in the constitution; and shall, on the first Wednesday in January biennially, determine and declare who is elected by each district to be senator by the highest number of votes. Any vacancy in the senate shall be filled by election by the people of the unrepresented district, upon the order of a majority of senators elected.

Senate to be
final judge of
elections, etc.,
of its own
members.

Vacancies,
how filled.

ART. 49. The senate shall choose its own president, appoint its own officers, and determine its own rules of proceedings.

Senate shall
choose its
officers and
establish
its rules.

Not to adjourn
for more than
two days.

ART. 50. The senate shall have power to adjourn themselves, provided such adjournments do not exceed two days at a time.

Shall try all
impeachments.

ART. 51. The senate shall be a court with full authority to hear and determine all impeachments made by the house of representatives, against any officer or officers of the commonwealth, for misconduct and maladministration in their offices. But previous to the trial of every impeachment the members of the senate shall respectively be sworn, truly and impartially to try and determine the charge in question, according to evidence. Their judgment, however, shall not extend further than to removal from office and disqualification to hold or enjoy any place of honor, trust, or profit, under this commonwealth; but the party so convicted shall be, nevertheless, liable to indictment, trial, judgment, and punishment, according to the laws of the land.

Oath.

Limitation of
sentence.

THE HOUSE OF REPRESENTATIVES.

Representation
of the people.

ART. 52. There shall be, in the legislature of this commonwealth, a representation of the people, biennially elected, and founded upon the principle of equality.

Enumeration to
determine ap-
portionment of
representatives.

ART. 53. The special enumeration of legal voters hereinbefore required in the case of the senate shall determine the apportionment of representatives for the periods between the taking of the census.

House of repre-
sentatives to
consist of
240 members.
Legislature to
apportion, etc.

The house of representatives shall consist of two hundred and forty members. The representatives shall be apportioned by the legislature, at its first session after the return of each such special enumeration, to the several counties of the commonwealth, equally, as nearly as may be, according to their relative numbers of legal voters, as ascertained by the next preceding special enumeration; and the town of Cohasset, in the county of Norfolk, shall, for this purpose, as well as in the formation of districts, as hereinafter provided, be considered a part of the county of Plymouth; and it shall be the duty of the secretary of the commonwealth, to certify, as soon as may be after it is determined by the legislature, the number of representatives to which each county shall be entitled, to the board authorized to divide each county into representative districts.

Secretary shall
certify to
officers author-
ized to divide
counties.

Meeting for
division to be
first Tuesday
of August.
Proceedings.

The mayor and aldermen of the city of Boston, the county commissioners of other counties than Suffolk, or in lieu of the mayor and aldermen of the city of Boston, or of the

county commissioners in each county other than Suffolk, such board of special commissioners in each county, to be elected by the people of the county, or of the towns therein, as may for that purpose be provided by law, shall, on the first Tuesday of August next after each assignment of representatives to each county, assemble at a shire town of their respective counties, and proceed, as soon as may be, to divide the same into representative districts of contiguous territory, so as to apportion the representation assigned to each county equally, as nearly as may be, according to the relative number of legal voters in the several districts of each county; and such districts shall be so formed that no town or ward of a city shall be divided therefor, nor shall any district be made which shall be entitled to elect more than three representatives.

Every representative, for one year at least next preceding his election, shall have been an inhabitant of the district for which he is chosen, and shall cease to represent such district when he shall cease to be an inhabitant of the commonwealth. The districts in each county shall be numbered by the board creating the same, and a description of each, with the numbers thereof and the number of legal voters therein, shall be returned by the board, to the secretary of the commonwealth, the county treasurer of each county, and to the clerk of every town in each district, to be filed and kept in their respective offices. The manner of calling and conducting the meetings for the choice of representatives, and of ascertaining their election, shall be prescribed by law.

ART. 54. Every member of the house of representatives shall be chosen by written votes. A vote by a lawfully authorized voting machine or other mechanical device shall be deemed a written vote. The house of representatives shall have power from time to time to impose fines upon such towns as shall neglect to choose and return members to the same, agreeably to this constitution.

ART. 55. The members of the house of representatives shall be chosen biennially as hereinbefore provided on the Tuesday next after the first Monday in November; but in case of a failure to elect representatives on that day, a second meeting shall be holden, for that purpose, on the fourth Monday of the same month of November.

ART. 56. The house of representatives shall be the grand inquest of this commonwealth; and all impeachments made by them shall be heard and tried by the senate.

Qualifications
of represen-
tatives.

Districts to be
numbered,
described and
certified.

Representa-
tives, how
chosen.

Towns liable
to fine in case,
etc.

Time of elec-
tion of repre-
sentatives.

House alone
can impeach.
Senate to try
impeachments.

House to originate money bills.

ART. 57. All money bills shall originate in the house of representatives; but the senate may propose or concur with amendments, as on other bills.

Not to adjourn more than two days.

ART. 58. The house of representatives shall have power to adjourn themselves; provided such adjournment shall not exceed two days at a time.

To judge of returns, etc., of its own members; choose its officers and establish its rules, etc. May punish for certain offences.

ART. 59. The house of representatives shall be the judge of the returns, elections, and qualifications of its own members, as pointed out in the constitution; shall choose their own speaker; appoint their own officers, and settle the rules and orders of proceeding in their own house. They shall have authority to punish by imprisonment every person, not a member, who shall be guilty of disrespect to the house, by any disorderly or contemptuous behavior in its presence; or who, in the town where the general court is sitting, and during the time of its sitting, shall threaten harm to the body or estate of any of its members, for any thing said or done in the house; or who shall assault any of them therefor; or who shall assault, or arrest, any witness, or other person, ordered to attend the house, in his way in going or returning; or who shall rescue any person arrested by the order of the house.

Privileges of members.

And no member of the house of representatives shall be arrested, or held to bail on mesne process, during his going unto, returning from, or his attending the general court.

Senate, governor and council may punish.

ART. 60. The senate shall have the same powers in the like cases; and the governor and council shall have the same authority to punish in like cases: provided, that no imprisonment on the warrant or order of the governor, council, senate, or house of representatives, for either of the above described offences, be for a term exceeding thirty days.

General limitation.

And the senate and house of representatives may try and determine all cases where their rights and privileges are concerned, and which, by the constitution, they have authority to try and determine, by committees of their own members, or in such other way as they may respectively think best.

Trial may be by committee, or otherwise.

LEGISLATIVE POWERS.

General court may constitute judicatories, courts of record, etc.

ART. 61. The general court shall forever have full power and authority to erect and constitute judicatories and courts of record, or other courts, to be held in the name of the commonwealth, for the hearing, trying, and determining of all manner of crimes, offences, pleas, processes, complaints, actions,

matters, causes, and things, whatsoever, arising or happening within the commonwealth, or between or concerning persons inhabiting, or residing, or brought within the same: whether the same be criminal or civil, or whether the said crimes be capital or not capital, and whether the said pleas be real, personal, or mixed; and for the awarding and making out of execution thereupon. To which courts and judicatories are hereby given and granted full power and authority, from time to time, to administer oaths or affirmations, for the better discovery of truth in any matter in controversy or depending before them.

Courts, etc.,
may administer
oaths.

ART. 62. The legislature shall prescribe, by general law, for the election of sheriffs, registers of probate, and clerks of the courts, by the people of the several counties, and that district-attorneys shall be chosen by the people of the several districts, for such term of office as the legislature shall prescribe.

Legislature to
prescribe for
the election of
sheriffs, regis-
ters of probate,
etc.

ART. 63. And further, full power and authority are hereby given and granted to the general court, from time to time to make, ordain, and establish, all manner of wholesome and reasonable orders, laws, statutes, and ordinances, directions and instructions, either with penalties or without; so as the same be not repugnant or contrary to this constitution, as they shall judge to be for the good and welfare of this commonwealth, and for the government and ordering thereof, and of the subjects of the same, and for the necessary support and defence of the government thereof; and to name and settle annually, or provide by fixed laws for the naming and settling, all civil officers within the said commonwealth, the election and constitution of whom are not hereafter in this form of government otherwise provided for; and to set forth the several duties, powers, and limits, of the several civil and military officers of this commonwealth, and the forms of such oaths or affirmations as shall be respectively administered unto them for the execution of their several offices and places, so as the same be not repugnant or contrary to this constitution; and to impose and levy proportional and reasonable assessments, rates, and taxes, upon all the inhabitants of, and persons resident, and estates lying, within the said commonwealth; and also to impose and levy reasonable duties and excises upon any produce, goods, wares, merchandise, and commodities, whatsoever, brought into, produced, manufactured, or being within the same; to be issued and disposed of by warrant, under the hand of the

General court
may enact laws,
etc., not repug-
nant to the
constitution.

May provide
for the election
or appointment
of officers, and
prescribe their
duties.

May impose
taxes, etc.

governor of this commonwealth for the time being, with the advice and consent of the council, for the public service, in the necessary defence and support of the government of the commonwealth, and the protection and preservation of the subjects thereof, according to such acts as are or shall be in force within the same.

Valuation of estates once in ten years, at least, etc.

And while the public charges of government, or any part thereof, shall be assessed on polls and estates, in the manner that has hitherto been practised, in order that such assessments may be made with equality, there shall be a valuation of estates within the commonwealth, taken anew once in every ten years at least, and as much oftener as the general court shall order.

Powers of the general court relative to imposing and levying a tax on income.

ART. 64. Full power and authority are hereby given and granted to the general court to impose and levy a tax on income in the manner hereinafter provided. Such tax may be at different rates upon income derived from different classes of property, but shall be levied at a uniform rate throughout the commonwealth upon incomes derived from the same class of property. The general court may tax income not derived from property at a lower rate than income derived from property, and may grant reasonable exemptions and abatements. Any class of property the income from which is taxed under the provisions of this article may be exempted from the imposition and levying of proportional and reasonable assessments, rates and taxes as at present authorized by the constitution. This article shall not be construed to limit the power of the general court to impose and levy reasonable duties and excises.

Exemptions, etc.

General court empowered to charter cities.

ART. 65. The general court shall have full power and authority to erect and constitute municipal or city governments, in any corporate town or towns in this commonwealth, and to grant to the inhabitants thereof such powers, privileges, and immunities, not repugnant to the constitution, as the general court shall deem necessary or expedient for the regulation and government thereof, and to prescribe the manner of calling and holding public meetings of the inhabitants, in wards or otherwise, for the election of officers under the constitution, and the manner of returning the votes given at such meetings. Provided, that no such government shall be erected or constituted in any town not containing twelve thousand inhabitants, nor unless it be with the consent, and on the application of a majority of the inhabitants of such town, present and voting thereon, pursuant to a vote

Proviso.

at a meeting duly warned and holden for that purpose. And provided, also, that all by-laws, made by such municipal or city government, shall be subject, at all times, to be annulled by the general court.

ART. 66. The general court shall have power to authorize the commonwealth to take land and to hold, improve, sub-divide, build upon and sell the same, for the purpose of relieving congestion of population and providing homes for citizens: provided, however, that this article shall not be deemed to authorize the sale of such land or buildings at less than the cost thereof.

ART. 67. The conservation, development and utilization of the agricultural, mineral, forest, water and other natural resources of the commonwealth, are public uses, and the general court shall have power to provide for the taking, upon payment of just compensation therefor, of lands and easements or interests therein, including water and mineral rights, for the purpose of securing and promoting the proper conservation, development, utilization and control thereof and to enact legislation necessary or expedient therefor.

ART. 68. Full power and authority are hereby given and granted to the general court to prescribe for wild or forest lands such methods of taxation as will develop and conserve the forest resources of the commonwealth.

ART. 69. The maintenance and distribution at reasonable rates, during time of war, public exigency, emergency or distress, of a sufficient supply of food and other common necessities of life and the providing of shelter, are public functions, and the commonwealth and the cities and towns therein may take and may provide the same for their inhabitants in such manner as the general court shall determine.

ART. 70. The general court may by special acts for the purpose of laying out, widening or relocating highways or streets, authorize the taking in fee by the commonwealth, or by a county, city or town, of more land and property than are needed for the actual construction of such highway or street: provided, however, that the land and property authorized to be taken are specified in the act and are no more in extent than would be sufficient for suitable building lots on both sides of such highway or street, and after so much of the land or property has been appropriated for such highway or street as is needed therefor, may authorize the sale of the remainder for value with or without suitable restrictions.

Proviso.

Powers of the general court relative to the taking of land, etc., to relieve congestion of population and to provide homes for citizens.
Proviso.

Conservation, etc., of natural resources of the commonwealth.

Taxation of wild or forest lands.

General court to determine manner of distribution of food, etc., during time of war, etc., by the commonwealth, cities and towns.

General court to provide for the taking of land, etc., for widening or relocating highways, etc.

Proviso.

Building zones
in cities and
towns.

ART. 71. The general court shall have power to limit buildings according to their use or construction to specified districts of cities and towns.

Regulation by
law of adver-
tising on public
ways, etc.

ART. 72. Advertising on public ways, in public places and on private property within public view may be regulated and restricted by law.

General court
may prescribe
for taking
ancient land-
marks, etc.

ART. 73. The preservation and maintenance of ancient landmarks and other property of historical or antiquarian interest is a public use, and the commonwealth and the cities and towns therein may, upon payment of just compensation, take such property or any interest therein under such regulations as the general court may prescribe.

Organization of
not more than
twenty depart-
ments to
perform the
executive and
administrative
work of the
common-
wealth, except,
etc.

ART. 74. On or before January first, nineteen hundred twenty-one, the executive and administrative work of the commonwealth shall be organized in not more than twenty departments, in one of which every executive and administrative office, board and commission, except those officers serving directly under the governor or the council, shall be placed. Such departments shall be under such supervision and regulation as the general court may from time to time prescribe by law.

Every charter,
etc., subject to
revocation, etc.

ART. 75. Every charter, franchise or act of incorporation shall forever remain subject to revocation and amendment.

THE INITIATIVE AND REFERENDUM.

DEFINITION.

Initiative and
referendum,
definition.

ART. 76. Legislative power shall continue to be vested in the general court; but the people reserve to themselves the popular initiative, which is the power of a specified number of voters to submit constitutional amendments and laws to the people for approval or rejection; and the popular referendum, which is the power of a specified number of voters to submit laws, enacted by the general court, to the people for their ratification or rejection.

THE INITIATIVE.

INITIATIVE PETITIONS.

Contents of
initiative
petition.

ART. 77. *Contents.* — An initiative petition shall set forth the full text of the constitutional amendment or law, hereinafter designated as the measure, which is proposed by the petition.

Certain matters
shall not be
proposed by

ART. 78. *Excluded Matters.* — No measure that relates to religion, religious practices or religious institutions; or

to the appointment, qualification, tenure, removal, recall or compensation of judges; or to the reversal of a judicial decision; or to the powers, creation or abolition of courts; or the operation of which is restricted to a particular town, city or other political division or to particular districts or localities of the commonwealth; or that makes a specific appropriation of money from the treasury of the commonwealth, shall be proposed by an initiative petition; but if a law approved by the people is not repealed, the general court shall raise by taxation or otherwise and shall appropriate such money as may be necessary to carry such law into effect.

initiative petition.

Obligation upon general court, when a law is approved by the people.

Neither the provisions of this constitution embodied in article three, section two of the declaration of rights, nor this provision for their protection, shall be the subject of an initiative amendment.

Anti-aid amendment, so-called, not to be subject of initiative amendment.

No measure inconsistent with any one of the following rights of the individual, as at present declared in the declaration of rights, shall be the subject of an initiative petition: The right to receive compensation for private property appropriated to public use; the right of access to and protection in courts of justice; the right of trial by jury; protection from unreasonable search, unreasonable bail and the law martial; freedom of the press; freedom of speech; freedom of elections; and the right of peaceable assembly.

Certain individual rights not to be subject of initiative amendment.

No part of the constitution specifically excluding any matter from the operation of the popular initiative and referendum shall be the subject of an initiative petition; nor shall this article be the subject of such a petition.

Further excluded matters.

The limitations on the legislative power of the general court in the constitution shall extend to the legislative power of the people as exercised hereunder.

Certain legislative limitations extended.

ART. 79. *Mode of Originating.* — Such petition shall first be signed by ten qualified voters of the commonwealth and shall then be submitted to the attorney-general, and if he shall certify that the measure is in proper form for submission to the people, and that it is not, either affirmatively or negatively, substantially the same as any measure which has been qualified for submission or submitted to the people within three years of the succeeding first Wednesday in December and that it contains only subjects not excluded from the popular initiative and which are related or which are mutually dependent, it may then be filed with the secretary of the commonwealth. The secretary of the commonwealth shall provide blanks for the use of subsequent signers,

Initiative petition, mode of originating, etc.

Secretary of the commonwealth to

furnish blank forms, etc.

Time of filing initiative petitions.

Transmission of proposed measure to the general court.

and shall print at the top of each blank a description of the proposed measure as such description will appear on the ballot together with the names and residences of the first ten signers. All initiative petitions with the first ten signatures attached, shall be filed with the secretary of the commonwealth not earlier than the first Wednesday of the September before the annual assembling of the general court into which they are to be introduced, and the remainder of the required signatures shall be filed not later than the first Wednesday of the following December.

ART. 80. *Transmission to the General Court.* — If an initiative petition, signed by the required number of qualified voters, has been filed as aforesaid, the secretary of the commonwealth shall, upon the next assembling of the general court, transmit it to the clerk of the house of representatives, and the proposed measure shall then be deemed to be introduced and pending.

LEGISLATIVE ACTION. GENERAL PROVISIONS.

Reference to legislative committee and report thereon.

ART. 81. *Reference to Committee.* — If a measure is introduced into the general court by initiative petition, it shall be referred to a committee thereof, and the petitioners and all parties in interest shall be heard, and the measure shall be considered and reported upon to the general court with the committee's recommendations, and the reasons therefor, in writing. Majority and minority reports shall be signed by the members of said committee.

Legislative substitute for initiative measure.

ART. 82. *Legislative Substitutes.* — The general court may, by resolution passed by yea and nay vote, either by the two houses separately, or in the case of a constitutional amendment by a majority of those voting thereon in joint session in each of two general courts successively elected as hereinafter provided, submit to the people a substitute for any measure introduced by initiative petition, such substitute to be designated on the ballot as the legislative substitute for such an initiative measure and to be grouped with it as an alternative therefor.

LEGISLATIVE ACTION ON PROPOSED CONSTITUTIONAL AMENDMENTS.

Definition of initiative amendment and legislative substitute.

ART. 83. *Definition.* — A proposal for amendment to the constitution introduced into the general court by initiative petition shall be designated an initiative amendment, and an

amendment introduced by a member of either house shall be designated a legislative substitute or a legislative amendment.

ART. 84. *Joint Session.* — If a proposal for a specific amendment of the constitution is introduced into the general court by initiative petition signed by not less than twenty-five thousand qualified voters, or if in case of a proposal for amendment introduced into the general court by a member of either house, consideration thereof in joint session is called for by vote of either house, such proposal shall, not later than the second Wednesday in the following June, be laid before a joint session of the two houses, at which the president of the senate shall preside; and if the two houses fail to agree upon a time for holding any joint session hereby required, or fail to continue the same from time to time until final action has been taken upon all amendments pending, the governor shall call such joint session or continuance thereof.

Joint session to consider amendment to the constitution.

When governor shall call joint session.

ART. 85. *Amendment of Proposed Amendments.* — A proposal for an amendment to the constitution introduced by initiative petition shall be voted upon in the form in which it was introduced, unless such amendment is amended by vote of three-fourths of the members voting thereon in joint session, which vote shall be taken by call of the yeas and nays if called for by any member.

Proposed amendment to the constitution, form in which to be voted upon.

ART. 86. *Legislative Action.* — Final legislative action in the joint session upon any amendment shall be taken only by call of the yeas and nays, which shall be entered upon the journals of the two houses; and an unfavorable vote at any stage preceding final action shall be verified by call of the yeas and nays, to be entered in like manner. At such joint session a legislative amendment receiving the affirmative votes of a majority of all the members elected, or an initiative amendment receiving the affirmative votes of not less than one-fourth of all the members elected, shall be referred to the general court next to be elected.

Final legislative action to be taken by yeas and nays.

Reference to general court next to be elected.

ART. 87. *Submission to the People.* — If in the general court next elected a legislative amendment shall again be agreed to in joint session by a majority of all the members elected, or if an initiative amendment shall again receive the affirmative votes of at least one-fourth of all the members elected, such fact shall be certified by the clerk of such joint session to the secretary of the commonwealth, who shall submit the amendment to the people at the next biennial state election.

Submission of legislative amendment, etc., to the people.

When an amendment becomes part of the constitution.

An amendment shall become part of the constitution if approved, in the case of a legislative amendment, by a majority of the voters voting thereon, or if approved, in the case of an initiative amendment or a legislative substitute, by voters equal in number to at least thirty per cent of the total number of ballots cast at such state election and also by a majority of the voters voting on such amendment.

LEGISLATIVE ACTION ON PROPOSED LAWS.

Legislative procedure on law proposed by initiative petition, etc.

ART. 88. *Legislative Procedure.* — If an initiative petition for a law is introduced into the general court, signed by not less than twenty thousand qualified voters, a vote shall be taken by yeas and nays in both houses before the first Wednesday of the following June upon the enactment of such law in the form in which it stands in such petition. If the general court fails to enact such law before such first Wednesday of June, and if such petition is completed by filing with the secretary of the commonwealth, not earlier than the first Wednesday of the following July nor later than the first Wednesday of the following August, not less than five thousand signatures of qualified voters, in addition to those signing such initiative petition, which signatures must have been obtained after the first Wednesday of June aforesaid, then the secretary of the commonwealth shall submit such proposed law to the people at the next biennial state election. If it shall be approved by voters equal in number to at least thirty per cent of the total number of ballots cast at such state election and also by a majority of the voters voting on such law, it shall become law, and shall take effect in thirty days after such state election or at such time after such election as may be provided in such law.

When measure becomes law and takes effect.

Amendment of proposed law by petitioners and submission of measure to the people by the secretary of the commonwealth.

ART. 89. *Amendment by Petitioners.* — If the general court fails to pass a proposed law before such first Wednesday of June, a majority of the first ten signers of the initiative petition therefor shall have the right, subject to certification by the attorney-general filed as hereinafter provided, to amend the measure which is the subject of such petition. An amendment so made shall not invalidate any signature attached to the petition. If the measure so amended, signed by a majority of the first ten signers, is filed with the secretary of the commonwealth before the first Wednesday of the following July, together with a certificate signed by the attorney-general to the effect that the amendment made by such proposers is in his opinion perfecting in its nature and

does not materially change the substance of the measure, and if such petition is completed by filing with the secretary of the commonwealth, not earlier than the first Wednesday of the following July nor later than the first Wednesday of the following August, not less than five thousand signatures of qualified voters, in addition to those signing such initiative petition, which signatures must have been obtained after the first Wednesday of June aforesaid, then the secretary of the commonwealth shall submit the measure to the people in its amended form.

CONFLICTING AND ALTERNATIVE MEASURES.

ART. 90. If in any judicial proceeding, provisions of constitutional amendments or of laws approved by the people at the same election are held to be in conflict, then the provisions contained in the measure that received the largest number of affirmative votes at such election shall govern.

Conflicting and alternative measures, which shall govern when approved by the people, etc.

ART. 91. A constitutional amendment approved at any election shall govern any law approved at the same election.

Constitutional amendment to govern law, etc.

ART. 92. The general court, by resolution passed as hereinbefore set forth, may provide for grouping and designating upon the ballot as conflicting measures or as alternative measures, only one of which is to be adopted, any two or more proposed constitutional amendments or laws which have been or may be passed or qualified for submission to the people at any one election: provided, that a proposed constitutional amendment and a proposed law shall not be so grouped, and that the ballot shall afford an opportunity to the voter to vote for each of the measures or for only one of the measures, as may be provided in said resolution, or against each of the measures so grouped as conflicting or as alternative. In case more than one of the measures so grouped shall receive the vote required for its approval as herein provided, only that one for which the largest affirmative vote was cast shall be deemed to be approved.

General court to provide for grouping, etc., upon the ballot.

Proviso.

Only measure receiving largest affirmative vote to be deemed approved.

THE REFERENDUM.

WHEN STATUTES SHALL TAKE EFFECT.

ART. 93. No law passed by the general court shall take effect earlier than ninety days after it has become a law, excepting laws declared to be emergency laws and laws which may not be made the subject of a referendum petition, as herein provided.

When certain laws passed by the general court take effect.

EMERGENCY MEASURES.

Emergency law to contain preamble.

Yea and nay vote thereon.

How governor may cause certain laws to take effect forthwith.

Certain franchise grants accepted.

ART. 94. A law declared to be an emergency law shall contain a preamble setting forth the facts constituting the emergency, and shall contain the statement that such law is necessary for the immediate preservation of the public peace, health, safety or convenience. A separate vote shall be taken on the preamble by call of the yeas and nays, which shall be recorded, and unless the preamble is adopted by two-thirds of the members of each house voting thereon, the law shall not be an emergency law.

But if the governor, at any time before the election at which a law may be submitted to the people on referendum, files with the secretary of the commonwealth a statement declaring that in his opinion the immediate preservation of the public peace, health, safety or convenience requires that such law should take effect forthwith and that it is an emergency law and setting forth the facts constituting the emergency, then such law, if not previously suspended as herein-after provided, shall thereupon take effect, or if such law has been so suspended such suspension shall thereupon terminate and such law shall take effect.

No grant of any franchise or amendment thereof, or renewal or extension thereof for more than one year shall be declared to be an emergency law.

REFERENDUM PETITIONS.

Contents of referendum petition.

Certain matters shall not be the subject of a referendum petition.

Mode of petitioning for the suspension of a law and a referendum thereon.

ART. 95. *Contents.* — A referendum petition may ask for a referendum to the people upon any law enacted by the general court which is not herein expressly excluded.

ART. 96. *Excluded Matters.* — No law that relates to religion, religious practices or religious institutions; or to the appointment, qualification, tenure, removal or compensation of judges; or to the powers, creation or abolition of courts; or the operation of which is restricted to a particular town, city or other political division or to particular districts or localities of the commonwealth; or that appropriates money for the current or ordinary expenses of the commonwealth or for any of its departments, boards, commissions or institutions shall be the subject of a referendum petition.

ART. 97. *Mode of Petitioning for the Suspension of a Law and a Referendum thereon.* — A petition asking for a referendum on a law, and requesting that the operation of such

law be suspended, shall first be signed by ten qualified voters and shall then be filed with the secretary of the commonwealth not later than thirty days after the law that is the subject of the petition has become law. The secretary of the commonwealth shall provide blanks for the use of subsequent signers, and shall print at the top of each blank a description of the proposed law as such description will appear on the ballot together with the names and residences of the first ten signers. If such petition is completed by filing with the secretary of the commonwealth not later than ninety days after the law which is the subject of the petition has become law the signatures of not less than fifteen thousand qualified voters of the commonwealth, then the operation of such law shall be suspended, and the secretary of the commonwealth shall submit such law to the people at the next biennial state election, if thirty days intervene between the date when such petition is so completed and filed with the secretary of the commonwealth and the date for holding such state election; if thirty days do not so intervene, then such law shall be submitted to the people at the next following biennial state election, unless in the meantime it shall have been repealed; and if it shall be approved by a majority of the qualified voters voting thereon, such law shall, subject to the provisions of the constitution, take effect in thirty days after such election, or at such time after such election as may be provided in such law; if not so approved such law shall be null and void; but no such law shall be held to be disapproved if the negative vote is less than thirty per cent of the total number of ballots cast at such state election.

Duties of the secretary of the commonwealth, etc.

Votes necessary for approval, etc.

ART. 98. *Petitions for Referendum on an Emergency Law or a Law the Suspension of which is not asked for.* — A referendum petition may ask for the repeal of an emergency law or of a law which takes effect because the referendum petition does not contain a request for suspension, as aforesaid. Such petition shall first be signed by ten qualified voters of the commonwealth, and shall then be filed with the secretary of the commonwealth not later than thirty days after the law which is the subject of the petition has become law. The secretary of the commonwealth shall provide blanks for the use of subsequent signers, and shall print at the top of each blank a description of the proposed law as such description will appear on the ballot together with the names and residences of the first ten signers. If such petition filed as aforesaid is completed by filing with the secretary of the

Petitions for referendum on an emergency law or a law the suspension of which is not asked for.

Duties of the secretary of the commonwealth, etc.

commonwealth not later than ninety days after the law which is the subject of the petition has become law the signatures of not less than ten thousand qualified voters of the commonwealth protesting against such law and asking for a referendum thereon, then the secretary of the commonwealth shall submit such law to the people at the next biennial state election, if thirty days intervene between the date when such petition is so completed and filed with the secretary of the commonwealth and the date for holding such state election. If thirty days do not so intervene, then it shall be submitted to the people at the next following biennial state election, unless in the meantime it shall have been repealed; and if it shall not be approved by a majority of the qualified voters voting thereon, it shall, at the expiration of thirty days after such election, be thereby repealed; but no such law shall be held to be disapproved if the negative vote is less than thirty per cent of the total number of ballots cast at such state election.

Votes necessary
for repeal, etc.

GENERAL PROVISIONS.

IDENTIFICATION AND CERTIFICATION OF SIGNATURES.

Identification
and certifica-
tion of signa-
tures to
petitions, etc.

ART. 99. Provision shall be made by law for the proper identification and certification of signatures to the petitions hereinbefore referred to, and for penalties for signing any such petition, or refusing to sign it, for money or other valuable consideration, and for the forgery of signatures thereto. Pending the passage of such legislation all provisions of law relating to the identification and certification of signatures to petitions for the nomination of candidates for state offices or to penalties for the forgery of such signatures shall apply to the signatures to the petitions herein referred to. The general court may provide by law that no co-partnership or corporation shall undertake for hire or reward to circulate petitions, may require individuals who circulate petitions for hire or reward to be licensed, and may make other reasonable regulations to prevent abuses arising from the circulation of petitions for hire or reward.

Law to regu-
late petitions
circulated for
hire or reward.

LIMITATION ON SIGNATURES.

Limitation on
signatures.

ART. 100. Not more than one-fourth of the certified signatures on any petition shall be those of registered voters of any one county.

FORM OF BALLOT.

ART. 101. Each proposed amendment to the constitution, and each law submitted to the people, shall be described on the ballots by a description to be determined by the attorney-general, subject to such provision as may be made by law, and the secretary of the commonwealth shall give each question a number and cause such question, except as otherwise authorized herein, to be printed on the ballot in the following form:

Description on ballots to be determined by the attorney-general, etc.

ART. 102. In the case of an amendment to the constitution: Shall an amendment to the constitution (here insert description, and state, in distinctive type, whether approved or disapproved by the general court, and by what vote thereon) be approved?

Form of question on amendment to constitution.

YES.	
NO.	

ART. 103. In the case of a law: Shall a law (here insert description, and state, in distinctive type, whether approved or disapproved by the general court, and by what vote thereon) be approved?

Form of question on a law.

YES.	
NO.	

INFORMATION FOR VOTERS.

ART. 104. The secretary of the commonwealth shall cause to be printed and sent to each registered voter in the commonwealth the full text of every measure to be submitted to the people, together with a copy of the legislative committee's majority and minority reports, if there be such, with the names of the majority and minority members thereon, a statement of the votes of the general court on the measure, and a description of the measure as such description will appear on the ballot; and shall, in such manner as may be provided by law, cause to be prepared and sent to the voters other information and arguments for and against the measure.

Certain information for voters to be sent by the secretary of the commonwealth.

THE VETO POWER OF THE GOVERNOR.

ART. 105. The veto power of the governor shall not extend to measures approved by the people.

Governors' veto not to extend to certain measures.

THE GENERAL COURT'S POWER OF REPEAL.

ART. 106. Subject to the veto power of the governor and to the right of referendum by petition as herein provided, the general court may amend or repeal a law approved by the people.

Law approved by the people may be amended, etc., by the general court.

INITIATIVE AND REFERENDUM DECLARED TO BE SELF-EXECUTING.

Initiative and referendum amendment to be self-executing, etc.

ART. 107. The provisions of the initiative and referendum are self-executing, but legislation not inconsistent with anything therein contained may be enacted to facilitate the operation of such provisions.

STATE BUDGET AND VETO OF ITEMS BY THE GOVERNOR.
— LENDING CREDIT OF COMMONWEALTH.

The budget, contents, etc.

ART. 108. *The Budget.* — Within three weeks after the convening of the general court the governor shall recommend to the general court a budget which shall contain a statement of all proposed expenditures of the commonwealth for the fiscal year, including those already authorized by law, and of all taxes, revenues, loans and other means by which such expenditures shall be defrayed. This shall be arranged in such form as the general court may by law prescribe, or, in default thereof, as the governor shall determine. For the purpose of preparing his budget, the governor shall have power to require any board, commission, officer or department to furnish him with any information which he may deem necessary.

General court to prescribe form, etc.

Governor may require information from boards, etc.

The general appropriation bill and powers of the general court.

ART. 109. *The General Appropriation Bill.* — All appropriations based upon the budget to be paid from taxes or revenues shall be incorporated in a single bill which shall be called the general appropriation bill. The general court may increase, decrease, add or omit items in the budget. The general court may provide for its salaries, mileage, and expenses and for necessary expenditures in anticipation of appropriations, but before final action on the general appropriation bill it shall not enact any other appropriation bill except on recommendation of the governor. The governor may at any time recommend to the general court supplementary budgets which shall be subject to the same procedure as the original budget.

Governor may recommend supplementary budgets.

When special appropriation bills may be enacted, etc.

ART. 110. *Special Appropriation Bills.* — After final action on the general appropriation bill or on recommendation of the governor, special appropriation bills may be enacted. Such bills shall provide the specific means for defraying the appropriations therein contained.

Governor may disapprove, etc., items or

ART. 111. *Submission to the Governor.* — The governor may disapprove or reduce items or parts of items in any bill

appropriating money. So much of such bill as he approves shall upon his signing the same become law. As to each item disapproved or reduced, he shall transmit to the house in which the bill originated his reasons for such disapproval or reduction, and the procedure shall then be the same as in the case of a bill disapproved as a whole. In case he shall fail so to transmit his reasons for such disapproval or reduction within five days after the bill shall have been presented to him, such items shall have the force of law unless the general court by adjournment shall prevent such transmission, in which case they shall not be law.

parts of items
in any appro-
priation bill,
etc.

Items to have
force of law,
unless, etc.

ART. 112. The credit of the commonwealth shall not in any manner be given or loaned to or in aid of any individual, or of any private association, or of any corporation which is privately owned and managed.

Common-
wealth's credit
not to be
given to private
enterprises.

ART. 113. The commonwealth may borrow money to repel invasion, suppress insurrection, defend the commonwealth, or to assist the United States in case of war, and may also borrow money in anticipation of receipts from taxes or other sources, such loan to be paid out of the revenue of the year in which it is created.

Common-
wealth may
borrow money
for certain
purposes.

ART. 114. In addition to the loans which may be contracted as before provided, the commonwealth may borrow money only by a vote, taken by the yeas and nays, of two-thirds of each house of the general court present and voting thereon. The governor shall recommend to the general court the term for which any loan shall be contracted.

Two-thirds yea
and nay vote of
general court
required to
borrow money,
etc.

ART. 115. Borrowed money shall not be expended for any other purpose than that for which it was borrowed or for the reduction or discharge of the principal of the loan.

Expenditure of
borrowed
money
limited.

THE EXECUTIVE DEPARTMENT.

THE GOVERNOR.

ART. 116. There shall be a supreme executive magistrate, who shall be styled THE GOVERNOR OF THE COMMONWEALTH OF MASSACHUSETTS; and whose title shall be HIS EXCELLENCY.

Governor.
His title.

ART. 117. The governor shall be chosen biennially; and no person shall be eligible to this office, unless, at the time of his election, he shall have been an inhabitant of this commonwealth for seven years next preceding.

To be chosen
biennially.
Qualifications.

ART. 118. Those persons who shall be qualified to vote for senators and representatives within the several towns of

By whom
chosen, if
he has a

plurality of
votes.

this commonwealth shall, at a meeting to be called for that purpose, on the Tuesday next after the first Monday in November biennially, give in their votes for a governor, to the selectmen, who shall preside at such meetings; and the town clerk, in the presence and with the assistance of the selectmen, shall, in open town meeting, sort and count the votes, and form a list of the persons voted for, with the number of votes for each person against his name; and shall make a fair record of the same in the town books, and a public declaration thereof in the said meeting; and shall, in the presence of the inhabitants, seal up copies of such list, attested by him and the selectmen, and transmit the same to the sheriff of the county, thirty days at least before the first Wednesday in January; and the sheriff shall transmit the same to the secretary's office, seventeen days at least before such first Wednesday in January; or the selectmen may cause returns of the same to be made to the office of the secretary of the commonwealth, seventeen days at least before such day; and the secretary shall lay the same before the senate and the house of representatives on the first Wednesday in January, to be by them examined; and the person having the highest number of votes shall be deemed and declared to be elected, but if no person shall have been so elected, the house of representatives on the first Wednesday in January shall, by ballot, elect two out of four persons who had the highest number of votes, if so many shall have been voted for; but, if otherwise, out of the number voted for; and make return to the senate of the two persons so elected; on which the senate shall proceed, by ballot, to elect one, who shall be declared governor.

Transmission
of votes, etc.

How chosen,
when no person
has a plurality.

Power of gov-
ernor, and of
governor and
council.

ART. 119. The governor shall have authority, from time to time, at his discretion, to assemble and call together the councillors of this commonwealth for the time being; and the governor with the said councillors, or five of them at least, shall, and may, from time to time, hold and keep a council, for the ordering and directing the affairs of the commonwealth, agreeably to the constitution and the laws of the land.

May adjourn
or prorogue the
general court
upon request,
and convene
the same, etc.

ART. 120. The governor, with the advice of the council, shall have full power and authority, during the session of the general court, to adjourn or prorogue the same to any time the two houses shall desire; and, in the recess of the said court, to prorogue the same from time to time, not exceeding ninety days in any one recess; and to call it together sooner

than the time to which it may be adjourned or prorogued, if the welfare of the commonwealth shall require the same; and in case of any infectious distemper prevailing in the place where the general court is next at any time to convene, or any other cause happening, whereby danger may arise to the health or lives of the members from their attendance, he may direct the session to be held at some other, the most convenient place within the state.

ART. 121. In cases of disagreement between the two houses, with regard to the necessity, expediency, or time of adjournment or prorogation, the governor, with the advice of the council, shall have a right to adjourn or prorogue the general court, not exceeding ninety days, as he shall determine the public good shall require.

Governor and council may adjourn the general court in cases, etc., but not exceeding ninety days.

ART. 122. The power of pardoning offences, except such as persons may be convicted of before the senate by an impeachment of the house, shall be in the governor, by and with the advice of the council; but no charter of pardon, granted by the governor, with the advice of the council before conviction, shall avail the party pleading the same, notwithstanding any general or particular expressions contained therein, descriptive of the offence or offences intended to be pardoned.

Governor and council may pardon offences, except, etc.

But not before conviction.

ART. 123. All judicial officers, the solicitor-general, and coroners, shall be nominated and appointed by the governor, by and with the advice and consent of the council; and every such nomination shall be made by the governor, and made at least seven days prior to such appointment.

Judicial officers, etc., how nominated and appointed.

Notaries public shall be appointed by the governor in the same manner as judicial officers are appointed, and shall hold their offices during seven years. Women shall be eligible to appointment as notaries public. Change of name shall render the commission void, but shall not prevent reappointment under the new name. The governor, with the consent of the council, may remove justices of the peace and notaries public.

Notaries public, how appointed.

Women eligible, etc.

Removal from office.

ART. 124. All commissions shall be in the name of the Commonwealth of Massachusetts, signed by the governor and attested by the secretary or his deputy, and have the great seal of the commonwealth affixed thereto. The tenure, that all commissioned officers shall by law have in their offices, shall be expressed in their respective commissions.

Commissions, how signed, etc.

To express tenure of all commissioned officers.

ART. 125. All money received on account of the commonwealth from any source whatsoever shall be paid into the treasury thereof.

Collection of revenue.

Money, how drawn from the treasury, except, etc.

No moneys shall be issued out of the treasury of this commonwealth, and disposed of (except such sums as may be appropriated for the redemption of bills of credit or treasurer's notes, or for the payment of interest arising thereon) but by warrant under the hand of the governor for the time being, with the advice and consent of the council, for the necessary defence and support of the commonwealth; and for the protection and preservation of the inhabitants thereof, agreeably to the acts and resolves of the general court.

All public boards, etc., to make quarterly returns.

ART. 126. All public boards, the commissary-general, all superintending officers of public magazines and stores, belonging to this commonwealth, and all commanding officers of forts and garrisons within the same, shall once in every three months, officially, and without requisition, and at other times, when required by the governor, deliver to him an account of all goods, stores, provisions, ammunition, cannon with their appendages, and small arms with their accoutrements, and of all other public property whatever under their care respectively; distinguishing the quantity, number, quality and kind of each, as particularly as may be; together with the condition of such forts and garrisons; and the said commanding officer shall exhibit to the governor, when required by him, true and exact plans of such forts, and of the land and sea or harbor or harbors, adjacent.

Boards, etc., to send governor despatches, etc., of a public nature.

And the said boards, and all public officers, shall communicate to the governor, as soon as may be after receiving the same, all letters, despatches, and intelligences of a public nature, which shall be directed to them respectively.

Salary of governor.

ART. 127. As the public good requires that the governor should not be under the undue influence of any of the members of the general court by a dependence on them for his support, that he should in all cases act with freedom for the benefit of the public, that he should not have his attention necessarily diverted from that object to his private concerns, and that he should maintain the dignity of the commonwealth in the character of its chief magistrate, it is necessary that he should have an honorable stated salary, of a fixed and permanent value, amply sufficient for those purposes, and established by standing laws.

Salaries of justices of supreme judicial court. General court may enlarge certain salaries if insufficient.

Permanent and honorable salaries shall also be established by law for the justices of the supreme judicial court.

And if it shall be found that any of the salaries aforesaid, so established, are insufficient, they shall, from time to time, be enlarged, as the general court shall judge proper.

THE LIEUTENANT-GOVERNOR.

ART. 128. There shall be biennially elected a lieutenant-governor of the commonwealth of Massachusetts, whose title shall be HIS HONOR; and who shall be qualified, in point of residence in the commonwealth, in the same manner with the governor; and the day and manner of his election, and the qualifications of the electors, shall be the same as are required in the election of a governor. The return of the votes for this officer, and the declaration of his election, shall be in the same manner; and if no one person shall be found to have the highest number of all the votes returned, the vacancy shall be filled by the senate and house of representatives, in the same manner as the governor is to be elected, in case no person shall have the highest number of the votes of the people to be governor.

Lieutenant-governor; his title and qualifications.

Election in same manner as governor.

How chosen, when no person has a plurality.

ART. 129. The governor, and in his absence the lieutenant-governor, shall be president of the council, but shall have no vote in council; and the lieutenant-governor shall always be a member of the council, except when the chair of the governor shall be vacant.

President of council. Lieutenant-governor a member of, except, etc.

ART. 130. Whenever the chair of the governor shall be vacant, by reason of his death, or absence from the commonwealth, or otherwise, the lieutenant-governor, for the time being, shall, during such vacancy, perform all the duties incumbent upon the governor, and shall have and exercise all the powers and authorities, which by this constitution the governor is vested with, when personally present.

Lieutenant-governor to be acting governor, in case, etc.

THE COUNCIL.

ART. 131. There shall be a council for advising the governor in the executive part of the government, to consist of eight persons besides the lieutenant-governor, whom the governor, for the time being, shall have full power and authority, from time to time, at his discretion, to assemble and call together; and the governor, with the said councillors, or five of them at least, shall and may, from time to time, hold and keep a council, for the ordering and directing the affairs of the commonwealth, according to the laws of the land.

The council to advise the governor, number, etc.

ART. 132. Eight councillors shall be biennially chosen by the inhabitants of this commonwealth, qualified to vote for governor. The election of councillors shall be determined by the same rule that is required in the election of governor.

Eight councillors to be chosen biennially by the people.

The general court, at its first session after each decennial state census, shall divide the commonwealth into eight districts of contiguous territory, each of which districts shall consist of five contiguous senatorial districts, as they shall be, from time to time, established by the general court, and each of such eight districts containing a number of inhabitants as nearly equal as practicable, without dividing any town or ward of a city, and each entitled to elect one councillor. No person shall be eligible to the office of councillor who has not been an inhabitant of the commonwealth for the term of five years immediately preceding his election. The day and manner of the election, the return of the votes, and the declaration of the elections, shall be the same as are required in the election of governor.

Eligibility defined.

Day and manner of election, etc.

Vacancies in the council, how filled.

ART. 133. In case of a vacancy in the council, from a failure of election, or other cause, the senate and house of representatives shall, by concurrent vote, choose some eligible person from the people of the district wherein such vacancy occurs, to fill that office. If such vacancy shall happen when the legislature is not in session, the governor, with the advice and consent of the council, may fill the same by appointment of some eligible person.

Organization of the government.

ART. 134. And that there may be no delay in the organization of the government on the first Wednesday in January, the governor, with at least five councillors for the time being, shall biennially, as soon as may be, examine the returned copies of the records for the election of governor, lieutenant-governor, and councillors; and ten days before such first Wednesday in January he shall issue his summons to such persons as appear to be chosen, to attend on that day to be qualified accordingly; and the secretary shall lay the returns before the senate and house of representatives on such first Wednesday in January, to be by them examined; and in case of the election of either of such officers, the choice shall be by them declared and published; but in case there shall be no election of either of such officers, the legislature shall proceed to fill such vacancies in the manner provided in the constitution for the choice of such officers.

Secretary's duties, etc.

Rank of councillors.

ART. 135. The councillors, in the civil arrangements of the commonwealth, shall have rank next after the lieutenant-governor.

Register of council.

ART. 136. The resolutions and advice of the council shall be recorded in a register, and signed by the members present; and this record may be called for at any time by either

house of the legislature; and any member of the council may insert his opinion, contrary to the resolution of the majority.

ART. 137. Whenever the offices of governor and lieutenant-governor shall both be vacant, by reason of death, absence from the commonwealth, or otherwise, then one of the following officers, in the order of succession herein named, namely, the secretary, attorney-general, treasurer, and auditor, shall, during such vacancy, have full power and authority to do and execute all and every such acts, matters and things as the governor or the lieutenant-governor might or could lawfully do or execute, if they, or either of them, were personally present.

Order of succession in office of governor, etc., in case of vacancy.

SECRETARY. TREASURER. AUDITOR. ATTORNEY-GENERAL.

ART. 138. The secretary, treasurer, auditor, and attorney-general, shall be chosen biennially, on the Tuesday next after the first Monday in November; and each person then chosen as such, duly qualified in other respects, shall hold his office for the term of two years from the third Wednesday in January next thereafter, and until another is chosen and qualified in his stead. The qualification of the voters, the manner of the election, the return of the votes, and the declaration of the election, shall be such as are required in the election of governor. In case of a failure to elect either of said officers on the day in November aforesaid, or in case of the decease, in the mean time, of the person elected as such, such officer shall be chosen on or before the third Wednesday in January next thereafter, from the two persons who had the highest number of votes for such office on the day in November aforesaid, by joint ballot of the senators and representatives, in one room; and in case the office of secretary, or treasurer, or auditor, or attorney-general, shall become vacant, from any cause, during an annual or special session of the general court, such vacancy shall in like manner be filled by choice from the people at large; but if such vacancy shall occur at any other time, it shall be supplied by the governor by appointment, with the advice and consent of the council. The person so chosen or appointed, duly qualified in other respects, shall hold his office until his successor is chosen and duly qualified in his stead. In case any person chosen or appointed to either of the offices aforesaid, shall neglect, for the space of ten days after he could other-

Secretary, treasurer, auditor and attorney-general to be elected biennially by the people.

Qualifications of voters, manner of election, etc., to be such as are required to elect governor.

Vacancies, how filled.

To qualify within ten days, otherwise office to be deemed vacant.

Qualification
requisite.

Treasurer ineli-
gible for more
than three suc-
cessive terms.
Secretary to
keep records;
to attend the
governor and
council, etc.

wise enter upon his duties, to qualify himself in all respects to enter upon the discharge of such duties, the office to which he has been elected or appointed shall be deemed vacant. No person shall be eligible to either of such offices unless he shall have been an inhabitant of this commonwealth five years next preceding his election or appointment.

No person shall be eligible to election to the office of treasurer for more than three successive terms.

ART. 139. The records of the commonwealth shall be kept in the office of the secretary, who may appoint his deputies, for whose conduct he shall be accountable; and he shall attend the governor and council, the senate and house of representatives, in person, or by his deputies, as they shall respectively require.

THE JUDICIAL DEPARTMENT.

Judicial
officers to hold
office during
good behavior,
except, etc.

Retirement
because of
advanced age,
etc.

Justices of the
peace; tenure
of their office.

Provisions
for holding
probate courts.

ART. 140. All judicial officers, duly appointed, commissioned and sworn, shall hold their offices during good behavior, excepting such concerning whom there is different provision made in this constitution: provided, nevertheless, the governor, with consent of the council, may remove them upon the address of both houses of the legislature; and provided also that the governor, with the consent of the council, may after due notice and hearing retire them because of advanced age or mental or physical disability. Such retirement shall be subject to any provisions made by law as to pensions or allowances payable to such officers upon their voluntary retirement.

ART. 141. In order that the people may not suffer from the long continuance in place of any justice of the peace who shall fail of discharging the important duties of his office with ability or fidelity, all commissions of justices of the peace shall expire and become void, in the term of seven years from their respective dates; and, upon the expiration of any commission, the same may, if necessary, be renewed or another person appointed, as shall most conduce to the well-being of the commonwealth.

ART. 142. The judges of probate of wills, and for granting letters of administration, shall hold their courts at such place or places, on fixed days, as the convenience of the people shall require; and the legislature shall, from time to time, hereafter, appoint such times and places.

ART. 143. All causes of marriage, divorce, and alimony, and all appeals from the judges of probate, shall be heard and determined by the governor and council, until the legislature shall, by law, make other provision.

Marriage, divorce and alimony.
Other provisions made by law.

ART. 144. All writs, issuing out of the clerk's office in any of the courts of law, shall be in the name of the Commonwealth of Massachusetts; they shall be under the seal of the court from whence they issue; they shall bear test of the first justice of the court to which they shall be returnable, who is not a party, and be signed by the clerk of such court.

Provisions respecting writs.

ART. 145. All the laws which have heretofore been adopted, used, and approved in the Province, Colony, or State of Massachusetts Bay, and usually practised on in the courts of law, shall still remain and be in full force, until altered or repealed by the legislature, such parts only excepted as are repugnant to the rights and liberties contained in this constitution.

Continuation of former laws, except, etc.

ART. 146. Each branch of the legislature, as well as the governor and council, shall have authority to require the opinions of the justices of the supreme judicial court, upon important questions of law, and upon solemn occasions.

Justices of supreme judicial court to give opinions when required.

THE MILITIA.

ART. 147. The general court shall provide by law for the recruitment, equipment, organization, training and discipline of the military and naval forces. The governor shall be the commander-in-chief thereof, and shall have power to assemble the whole or any part of them for training, instruction or parade, and to employ them for the suppression of rebellion, the repelling of invasion, and the enforcement of the laws. He may, as authorized by the general court, prescribe from time to time the organization of the military and naval forces and make regulations for their government.

Military and naval forces, recruitment, etc.

ART. 148. All military and naval officers shall be selected and appointed and may be removed in such manner as the general court may by law prescribe, but no such officer shall be appointed unless he shall have passed an examination prepared by a competent commission or shall have served one year in either the federal or state militia or in military service. All such officers who are entitled by law to receive commissions shall be commissioned by the governor.

Military and naval officers, how appointed and removed, etc.

Governor to issue commissions.

OATHS OF OFFICE. INCOMPATIBLE OFFICES. DISQUALIFICATIONS FOR OFFICE.

Oaths to be taken by all civil and military officers.

ART. 149. The following oaths shall be taken and subscribed by every person chosen or appointed to any office, civil or military, under the government of this commonwealth, before he shall enter on the duties of his office, to wit:

"I, A. B., do solemnly swear, that I will bear true faith and allegiance to the Commonwealth of Massachusetts, and will support the constitution thereof. So help me, God."

"I, A. B., do solemnly swear and affirm, that I will faithfully and impartially discharge and perform all the duties incumbent on me as _____, according to the best of my abilities and understanding, agreeably to the rules and regulations of the constitution and the laws of the commonwealth. So help me, God."

Proviso.
Persons declining to take oaths, shall make affirmation.

Provided, that when any person shall decline taking such oaths, he shall make his affirmation in the foregoing forms, omitting the word "swear" in the first oath, and inserting, instead thereof, the word "affirm", and omitting the words "swear and" in the second oath, and omitting the words "So help me, God", in each oath, and subjoining, instead thereof, the words "This I do under the pains and penalties of perjury."

Tests abolished.

No oath, declaration, or subscription, excepting the above oaths, shall be required of the governor, lieutenant-governor, councillors, senators, or representatives, to qualify them for the duties of their respective offices.

Oaths and affirmations, how administered.

The said oaths or affirmations shall be taken and subscribed by the governor, lieutenant-governor and councillors, before the president of the senate, in the presence of the two houses of the legislature; and by the senators and representatives before the governor and council for the time being; and by the residue of the officers aforesaid, before such persons and in such manner as from time to time shall be prescribed by the legislature.

Plurality of offices prohibited to governor, etc., except, etc.

ART. 150. No governor, lieutenant-governor, or judge of the supreme judicial court, shall hold any other office or place, under the authority of this commonwealth, except such as by this constitution they are admitted to hold, saving that the judges of such court may hold the office of justice of the peace through the state; nor shall they hold any other place or office, or receive any pension or salary from any other state or government or power whatever.

No person shall be capable of holding or exercising at the same time, within this commonwealth, more than one of the following offices, namely: judge of probate, sheriff, register of probate, or register of deeds; and never more than any two offices, which are to be held by appointment of the governor, or the governor and council, or the senate, or the house of representatives, or by the election of the people of the state at large, or of the people of any county, military offices, and the offices of justices of the peace excepted, shall be held by one person. Same subject.

No person holding the office of judge of the supreme judicial court, secretary, attorney-general, solicitor-general, treasurer, judge of probate, commissary-general, sheriff, clerk of the house of representatives, register of probate, register of deeds, clerk of the supreme judicial court, or clerk of the inferior court of common pleas, shall at the same time have a seat in the senate or house of representatives; but their being chosen or appointed to, and accepting the same, shall operate as a resignation of their seat in the senate or house of representatives; and the place so vacated shall be filled up. Incompatible offices.

And the same rule shall take place in case any judge of the said supreme judicial court, or judge of probate, shall accept a seat in the council; or any councillor shall accept of either of those offices or places. Incompatible offices.

ART. 151. And no person shall ever be admitted to hold a seat in the general court, or any office of trust or importance under the government of this commonwealth, who shall, in due course of law, have been convicted of bribery or corruption in obtaining an election or appointment. Bribery, etc., disqualify.

ART. 152. No judge of any court of this commonwealth, (except the court of sessions) and no person holding any office under the authority of the United States, (postmasters excepted) shall, at the same time, hold the office of governor, lieutenant-governor, or councillor, or have a seat in the senate or house of representatives of this commonwealth; and no judge of any court in this commonwealth, (except the court of sessions) nor the attorney-general, solicitor-general, district attorney, clerk of any court, sheriff, treasurer, register of probate, nor register of deeds, shall continue to hold such office after being elected a member of the Congress of the United States, and accepting that trust; but the acceptance of such trust, by any of the officers aforesaid, shall be deemed and taken to be a resignation of such office; and Incompatible offices.

judges of the courts of common pleas shall hold no other office under the government of this commonwealth, the office of justice of the peace and militia offices excepted.

THE UNIVERSITY AT CAMBRIDGE, AND ENCOURAGEMENT OF LITERATURE.

Harvard
College.

ART. 153. Whereas our wise and pious ancestors, so early as the year one thousand six hundred and thirty-six, laid the foundation of Harvard College, in which university many persons of great eminence have, by the blessing of God, been initiated in those arts and sciences which qualified them for public employments, both in church and state; and whereas the encouragement of arts and sciences, and all good literature, tends to the honor of God, the advantage of the Christian religion, and the great benefit of this and the other United States of America, it is declared, that the PRESIDENT AND FELLOWS OF HARVARD COLLEGE, in their corporate capacity, and their successors in that capacity, their officers and servants, shall have, hold, use, exercise, and enjoy, all the powers, authorities, rights, liberties, privileges, immunities, and franchises, which they now have, or are entitled to have, hold, use, exercise, and enjoy; and the same are hereby ratified and confirmed unto them, the said president and fellows of Harvard College, and to their successors, and to their officers and servants, respectively, forever.

Powers,
privileges, etc.,
of the president
and fellows,
confirmed.

All gifts,
grants, etc.,
confirmed.

ART. 154. And whereas there have been at sundry times, by divers persons, gifts, grants, devises of houses, lands, tenements, goods, chattels, legacies, and conveyances, heretofore made, either to Harvard College in Cambridge, in New England, or to the president and fellows of Harvard College, or to the said college by some other description, under several charters, successively; it is declared, that all the said gifts, grants, devises, legacies, and conveyances, are hereby forever confirmed unto the president and fellows of Harvard College, and to their successors in the capacity aforesaid, according to the true intent and meaning of the donor or donors, grantor or grantors, devisor or devisors.

Power of
alteration
reserved to the
general court.

ART. 155. Nothing herein shall be construed to prevent the general court of this commonwealth from making such alterations in the government of the said university, as shall be conducive to its advantage, and the interest of the republic of letters, in as full a manner as might have been done

by the general court under the provisions of the constitution adopted in seventeen hundred and eighty.

ART. 156. Wisdom and knowledge, as well as virtue, diffused generally among the body of the people, being necessary for the preservation of their rights and liberties; and as these depend on spreading the opportunities and advantages of education in the various parts of the country, and among the different orders of the people, it shall be the duty of legislatures and magistrates, in all future periods of this commonwealth, to cherish the interests of literature and the sciences, and all seminaries of them; especially the university at Cambridge, public schools and grammar schools in the towns; to encourage private societies and public institutions, rewards and immunities, for the promotion of agriculture, arts, sciences, commerce, trades, manufactures, and a natural history of the country; to countenance and inculcate the principles of humanity and general benevolence, public and private charity, industry and frugality, honesty and punctuality in their dealings; sincerity, good humor, and all social affections, and generous sentiments, among the people.

Duty of legislatures and magistrates in all future periods.

CONTINUANCE AND ENROLLMENT.

ART. 157. Upon the ratification and adoption by the people of this rearrangement of the existing constitution and the amendments thereto, the constitution shall be deemed and taken to be so rearranged and shall appear in such rearranged form in all future publications thereof. Such rearrangement shall not be deemed or taken to change the meaning or effect of any part of the constitution or its amendments as theretofore existing or operative.

This rearrangement of the existing constitution, etc., to appear in all future publications thereof.

Not to be deemed to change meaning, etc., of existing constitution.

ART. 158. This form of government shall be enrolled on parchment, and deposited in the secretary's office, and be a part of the laws of the land; and printed copies thereof shall be prefixed to the book containing the laws of this commonwealth, in all future editions of such laws.

Provision for preserving and publishing the constitution.

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CONSTITUTION.

INDEX TO THE REARRANGEMENT OF THE CONSTITUTION.

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ACTS AND RESOLVES

OF

MASSACHUSETTS

1921

☞ The General Court of the year nineteen hundred and twenty-one assembled on Wednesday, the fifth day of January. The oaths of office were taken and subscribed by His Excellency CHANNING H. COX and His Honor ALVAN T. FULLER, on Thursday, the sixth day of January, in the presence of the two Houses assembled in convention.

ACTS.

AN ACT TO PROVIDE FOR THE CALLING OF CERTAIN TOWN MEETINGS IN METHUEN. *Chap. 1*

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Samuel Rushton, William L. Stedman and Henry Dean, elected selectmen of Methuen on March fifth, in the year nineteen hundred and seventeen, are hereby authorized and empowered forthwith to notify, in the manner provided by law, a meeting of the inhabitants of Methuen, duly qualified to vote, for the purpose of voting whether or not to petition the general court to erect and constitute a city government in said Methuen.

Provision for calling certain town meetings in Methuen.

SECTION 2. All inhabitants of Methuen whose names appear as qualified voters of said Methuen upon the latest voting lists prepared by John T. Douglas, Ansel L. Huckman, Henry H. Crompton and Edward J. Feeney, as registrars of voters of said Methuen, shall be entitled to vote at such meeting.

Who entitled to vote, etc.

SECTION 3. This act shall take effect upon its passage.
Approved January 19, 1921.

AN ACT TO AUTHORIZE THE CITY OF MELROSE TO PENSION CARRIE M. WORTHEN. *Chap. 2*

Be it enacted, etc., as follows:

SECTION 1. The city of Melrose may pay to Carrie M. Worthen, for about forty-eight years a librarian at the Melrose Public Library, a pension not exceeding fifty dollars monthly.

City of Melrose may pension Carrie M. Worthen.

SECTION 2. This act shall take effect upon its acceptance by the city council of the said city, subject to the provisions of its charter, provided that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to city council, etc.
Proviso.

Approved January 26, 1921.

Chap. 3 AN ACT TO AUTHORIZE THE CITY OF MELROSE TO PENSION
JOHN DRAGON.

Be it enacted, etc., as follows:

City of
Melrose may
pension John
Dragon.

SECTION 1. The city of Melrose may pay to John Dragon, for about twenty-five years employed by it as a laborer and now incapacitated, a pension not exceeding one half of the average annual compensation paid him as laborer during the two years next prior to his retirement.

To be sub-
mitted to city
council, etc.

SECTION 2. This act shall take effect upon its acceptance by the city council of the said city, subject to the provisions of its charter, provided that such acceptance occurs prior to December thirty-first in the current year.

Proviso.

Approved January 26, 1921.

Chap. 4 AN ACT TO AUTHORIZE THE CITY OF TAUNTON TO DISCON-
TINUE A PART OF THE CASWELL BURIAL GROUND.

Be it enacted, etc., as follows:

City of
Taunton may
discontinue
part of Caswell
burial ground.

SECTION 1. The city of Taunton may discontinue for use as a burial ground such part of the Caswell lot, so-called, owned by it and lying on the southerly side of Middleboro avenue in said city, as is not now occupied by graves or lots, and may use for school purposes the said part so discontinued, provided, that nothing herein contained shall be deemed to authorize the use of said lot contrary to any restrictions thereon without the consent of the heirs or legal representatives of Cyrus Caswell and Julia Fairbanks, under whose deeds the city holds title to the said land.

Proviso.

To be sub-
mitted to city
council, etc.

SECTION 2. This act shall take effect upon its acceptance by the city council of the said city, subject to the provisions of its charter, provided that such acceptance occurs prior to December thirty-first in the current year.

Proviso.

Approved January 26, 1921.

Chap. 5 AN ACT RELATIVE TO THE GOVERNMENT OF THE TOWN
OF WINTHROP AND TO THE PARTICIPATION OF WOMEN
THEREIN.

Be it enacted, etc., as follows:

1920, 427,
amended.
Word "male"
struck out of
law relative to
government of
town of
Winthrop.

SECTION 1. Chapter four hundred and twenty-seven of the acts of nineteen hundred and twenty is hereby amended by striking out the word "male", wherever it appears in said chapter.

SECTION 2. Section one of said chapter four hundred and twenty-seven is hereby amended by striking out, in the sixth line, the word "one", and inserting in place thereof the word: — three.

1920, 427, § 1, amended.

Maximum number of voters in voting precincts.

SECTION 3. Section two of said chapter four hundred and twenty-seven is hereby amended by striking out, in the fifth line, the word "six", and inserting in place thereof the words: — the largest number which is divisible by three and which will not exceed three, — by striking out, in the fourteenth line, the word "two", and inserting in place thereof the words: — the largest number which will not exceed one, — and by inserting after the word "precincts", the first time it occurs in the nineteenth line the following sentence: — The number of town meeting members to be elected in any year from each precinct shall be based on the number of registered voters in the precinct as of the first day of January prior to the annual town election.

1920, 427, § 2, amended.

Town meeting members, election, etc.

SECTION 4. Section three of said chapter four hundred and twenty-seven is hereby amended by striking out, in the twentieth line, the word "own", and inserting in place thereof the word: — town.

1920, 427, § 3, amended.

Town meeting members to be judges of election, etc., of their members.

SECTION 5. Section five of said chapter four hundred and twenty-seven is hereby amended by striking out, in the fourth and fifth lines, the words "granting licenses for the sale of intoxicating liquors".

1920, 427, § 5, amended.

Warrant articles, how acted upon, etc.

SECTION 6. Section seven of said chapter four hundred and twenty-seven is hereby amended by striking out, in the eleventh line, the word "four", and inserting in place thereof the word: — seven, — and by striking out, in the last line, the word "five", and inserting in place thereof the word: — three.

1920, 427, § 7, amended.

Notice to town meeting members of meetings to fill vacancies, etc.

SECTION 7. Section eight of said chapter four hundred and twenty-seven is hereby amended by striking out, in the second line, the words "making an appropriation", and inserting in place thereof the words: — authorizing an expenditure, — by striking out, in the third line, the words "specific purpose", and inserting in place thereof the words: — special appropriation, — and by striking out, in the eighteenth and nineteenth lines, the words "by the vote of a majority of the voters at large voting thereon", and inserting in place thereof the words: — by a majority vote or otherwise as required by law.

1920, 427, § 8, amended.

Votes authorizing expenditures, when operative.

Referendum.

SECTION 8. This act shall take effect upon its passage.

Approved January 28, 1921.

Chap. 6 AN ACT TO PROVIDE FOR ADDITIONAL ASSESSORS IN THE
CITY OF NEW BEDFORD.

Be it enacted, etc., as follows:

1857, 2, § 5,
etc., amended.

SECTION 1. Section five of chapter two of the acts of eighteen hundred and fifty-seven, as amended by chapter one hundred and eighty-four of the Special Acts of nineteen hundred and seventeen, is hereby further amended by striking out at the beginning of the last paragraph, the words "During the year nineteen hundred and seventeen, the board of assessors of the city of New Bedford shall appoint six suitable persons, for the term of one year, one from each ward, to be assistant assessors; and annually thereafter twelve suitable persons, two from each ward", and inserting in place thereof the following:— During the year nineteen hundred and twenty-one and annually thereafter as many suitable persons as the board of assessors may deem necessary, — so that the said paragraph will read as follows:— During the year nineteen hundred and twenty-one and annually thereafter as many suitable persons as the board of assessors may deem necessary, residents of the city of New Bedford shall be appointed assistant assessors by said board for such term as the board may determine. The said assistants shall furnish the assessors with such information as they may require relative to the persons and property taxable in the city of New Bedford. They shall receive for their services such compensation per diem as the city council may determine. In making the said appointments named herein, the board of assessors shall not be subject to the provisions of the civil service laws and regulations.

Appointment
of assistant
assessors in
city of New
Bedford.

Compensation,
etc.

To be sub-
mitted to city
council, etc.

Proviso.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of the said city subject to the provisions of its charter, provided that such acceptance occurs prior to December thirty-first in the current year.

Approved January 29, 1921.

Chap. 7 AN ACT AUTHORIZING THE CITY OF LYNN TO PENSION
CHARLES O. BAIRD.

Be it enacted, etc., as follows:

City of Lynn
may pension
Charles O.
Baird.

SECTION 1. The school committee of the city of Lynn may pay to Charles O. Baird, who has reached the age of seventy-two years, after completing a service of not less than

twenty-four years in the employ of the school department of said city, and who has become physically incapacitated, an annual pension as long as he lives, not exceeding one half of the compensation which he received as school house mechanic.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of the said city, subject to the provisions of its charter, provided that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to city council, etc.
Proviso.

Approved February 3, 1921.

AN ACT AUTHORIZING THE CITY OF CAMBRIDGE TO PAY A SUM OF MONEY TO THE WIDOW OF JAMES M. COLLINS.

Chap. 8

Be it enacted, etc., as follows:

SECTION 1. The city of Cambridge may pay to Grace Collins, widow of James M. Collins, formerly a fireman in said city, a sum equal to the amount of salary which he would have received had he lived to March thirty-first, nineteen hundred and twenty-one, the end of the financial year.

City of Cambridge may pay a sum of money to widow of James M. Collins.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter, provided such acceptance occurs prior to December thirty-first in the current year.

To be submitted to city council, etc.
Proviso.

Approved February 3, 1921.

AN ACT AUTHORIZING THE CITY OF BEVERLY TO COMPENSATE THE MEMBERS OF ITS BOARD OF ALDERMEN.

Chap. 9

Be it enacted, etc., as follows:

SECTION 1. Section thirteen of chapter five hundred and forty-two of the acts of nineteen hundred and ten is hereby amended by striking out, in the tenth line, the word "no", and inserting in place thereof the following: — a sum not exceeding three hundred dollars in full, — so as to read as follows: — *Section 13.* The board of aldermen shall, so far as is consistent with this act, have and exercise all the legislative power of towns and of the inhabitants thereof, and shall have and exercise all the powers now vested by law in the city of Beverly and in the inhabitants thereof as a municipal corporation, and shall have all the powers and be subject to all the liabilities of city councils and of either branch thereof, and it may by ordinance prescribe the manner in which such

1910, 542, § 13, amended.

City of Beverly may compensate members of its board of aldermen.

Board sessions
to be public,
etc.

powers shall be exercised. Its members shall receive a sum not exceeding three hundred dollars in full compensation for their services as members of the board of aldermen or of any committee thereof. Sessions of the board whether as a board of aldermen or as a committee of the whole shall be open to the public, and a journal of its proceedings shall be kept, which journal shall be subject to public inspection. The vote of the board upon any question shall be taken by roll call when the same is requested by at least three members. Nothing herein shall prevent the board, by special vote, from holding private sittings for the consideration of nominations by the mayor.

To be sub-
mitted to
voters, etc.

SECTION 2. This act shall be submitted to the voters of the city of Beverly at the annual city election in the current year, and shall take effect upon its acceptance by a majority of the voters voting thereon. The act shall be submitted in the form of the following question placed upon the official ballot: "Shall the act passed by the general court, in the year nineteen hundred and twenty-one, providing for the compensation of members of the board of aldermen, be accepted?"

Approved February 3, 1921.

Chap. 10 AN ACT AUTHORIZING THE CITY OF CAMBRIDGE TO PENSION
MARY E. MANNIX.

Be it enacted, etc., as follows:

City of
Cambridge
may pension
Mary E.
Mannix.

SECTION 1. The city of Cambridge may retire Mary E. Mannix, an employee of the building department, on an annual pension equal to one half her average annual compensation for the three years next preceding January first, nineteen hundred and twenty-one.

To be sub-
mitted to city
council, etc.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter, provided that such acceptance occurs prior to December thirty-first in the current year.

Proviso.

Approved February 3, 1921.

Chap. 11 AN ACT AUTHORIZING THE CITY OF CHELSEA TO PENSION
ETTA A. SWAN.

Be it enacted, etc., as follows:

City of
Chelsea may
pension Etta
A. Swan.

SECTION 1. The city of Chelsea may retire Etta A. Swan, an employee of said city for the past twenty-eight years, on an annual pension not exceeding the sum of four hundred

and eighty-five dollars and fifty cents, said sum being one half her average annual compensation for the three years next preceding January first, nineteen hundred and twenty-one.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter, provided that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to city council, etc.
Proviso.

Approved February 3, 1921.

AN ACT AUTHORIZING THE CITY OF CHELSEA TO PENSION MEDORA J. SIMPSON. *Chap. 12*

Be it enacted, etc., as follows:

SECTION 1. The city of Chelsea may retire Medora J. Simpson, librarian of its public library for the past fifty-one years, on an annual pension not exceeding six hundred and sixteen dollars and fifty cents, said sum being one half her average annual salary for the three years next preceding January first, nineteen hundred and twenty-one.

City of Chelsea may pension Medora J. Simpson.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter, provided that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to city council, etc.
Proviso

Approved February 3, 1921.

AN ACT AUTHORIZING THE CITY OF CAMBRIDGE TO PENSION HENRY T. BURRAGE. *Chap. 13*

Be it enacted, etc., as follows:

SECTION 1. The city of Cambridge may retire, prior to December thirty-first, nineteen hundred and twenty-one, Henry T. Burrage, an employee of its engineering department, on an annual pension equal to one half of the average annual compensation paid him for the three years next preceding January first, nineteen hundred and twenty-one.

City of Cambridge may pension Henry T. Burrage.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter, provided such acceptance occurs prior to December thirty-first in the current year.

To be submitted to city council, etc.
Proviso.

Approved February 4, 1921.

Chap. 14 AN ACT TO AUTHORIZE ASSESSORS IN TOWNS TO APPOINT ASSISTANT ASSESSORS.

Emergency
preamble.

Whereas, It is desirable that this act take effect forthwith in order that the several towns may pass upon its acceptance at their current annual meetings, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. 41,
amended, new
section after
§ 25.

Assistant
assessors in
towns, ap-
pointment,
etc.

Chapter forty-one of the General Laws is hereby amended by inserting after section twenty-five the following new section: — *Section 25A*. In towns which accept this section the assessors may appoint and remove citizens of the town as assistant assessors, who shall, subject to the supervision of the assessors, act as assistant assessors of the town and shall have all necessary powers therefor. In this section, the word towns shall not include cities. *Approved February 9, 1921.*

Chap. 15 AN ACT TO CONSOLIDATE THE BOSTON BAPTIST CITY MISSION SOCIETY AND THE BOSTON BAPTIST BETHEL SOCIETY.

Be it enacted, etc., as follows:

Boston Baptist
City Mission
Society and
Boston Baptist
Bethel Society
consolidated.

SECTION 1. The Boston Baptist City Mission Society and the Boston Baptist Bethel Society, corporations established under the laws of the commonwealth, are hereby consolidated in one corporation under the name of the Boston Baptist Bethel City Mission Society, which shall in all respects be a continuation of, and the lawful successor to, the corporations hereby consolidated, and all devises, bequests, conveyances and gifts heretofore or hereafter made to either of said corporations, however described, and all the powers and privileges thereof shall vest in said consolidated corporation and all trusts now or hereafter vested in either of said corporations shall be preserved inviolate, and all provisions relating thereto shall have full force and effect in said consolidated corporation.

Officers.

SECTION 2. The officers of the existing Boston Baptist Bethel Society shall be, until their successors are chosen and qualified, the officers of the consolidated corporation, which shall be governed by the by-laws of said existing corporation until the same shall be duly superseded.

Execution of
transfer
papers, etc.

SECTION 3. The treasurers of the said existing corporations are hereby respectively authorized to execute all papers

and documents that may be deemed necessary or proper for effecting the transfer of the property of said existing corporations respectively to the consolidated corporation.

SECTION 4. The said consolidated corporation may, except where appointed to fill a vacancy in the office of trustee, receive and hold property in trust without judicial appointment and in no case shall said corporation be required to furnish any bond as trustee or to render any account other than that appearing in its printed reports.

Property may be held in trust, etc.

SECTION 5. In addition to the functions heretofore exercised by said existing corporations the objects of the consolidated corporation shall be to carry on missionary and evangelistic work in Boston and its vicinity and to give increased efficiency to the missionary and benevolent operations of the Baptist denomination therein.

Additional objects of consolidated corporation.

SECTION 6. This act shall take effect upon its passage.

Approved February 6, 1921.

AN ACT VALIDATING CERTAIN PROCEEDINGS OF THE ERVING WATER DISTRICT.

Chap. 16

Be it enacted, etc., as follows:

SECTION 1. The acts and proceedings of the Erving Water District at a district meeting held October twenty-fifth, nineteen hundred and twenty, are hereby validated and confirmed, and said meeting is hereby declared to be the annual meeting of said district for the year nineteen hundred and twenty, and all officers elected at said meeting shall hold office for the several terms for which they were elected, notwithstanding the failure of said district to comply with the provisions of chapter one hundred and seventy-two of the Special Acts of nineteen hundred and eighteen.

Certain proceedings of Erving Water District validated.

SECTION 2. This act shall take effect upon its passage.

Approved February 9, 1921.

AN ACT EXTENDING THE PROVISIONS OF THE CIVIL SERVICE LAWS TO THE CHIEF OF POLICE OR COMMISSIONER OF PUBLIC SAFETY OF THE TOWN OF LONGMEADOW.

Chap. 17

Be it enacted, etc., as follows:

SECTION 1. The provisions of chapter thirty-one of the General Laws, and the civil service rules made thereunder, and all acts now or hereafter in force relating to the appointment and removal of police officers, shall apply to the chief

Chief of police or commissioner of public safety of Longmeadow placed under civil service.

of police or commissioner of public safety of the town of Longmeadow.

To be submitted to voters, etc.

SECTION 2. This act shall be submitted to the voters of the town of Longmeadow at the next town meeting, and shall take effect upon its acceptance by a majority of the voters voting thereon.

Approved February 9, 1921.

Chap. 18 AN ACT AUTHORIZING THE COUNTY OF BRISTOL TO PENSION
JAMES W. COUNSELL.

Be it enacted, etc., as follows:

County of Bristol may pension James W. Counsell.

The county commissioners of the county of Bristol may, on or before December thirty-first, nineteen hundred and twenty-one, retire James W. Counsell, for twenty-three years in its service, on an annual pension equal to one half the average annual compensation paid him for the three years next preceding January first, nineteen hundred and twenty-one.

Approved February 9, 1921.

Chap. 19 AN ACT TO AUTHORIZE THE CALLING OF TOWN MEETINGS
IN THE TOWN OF METHUEN.

Be it enacted, etc., as follows:

Calling of town meetings in town of Methuen.

SECTION 1. Samuel Rushton, William L. Stedman and Henry Dean, elected selectmen of Methuen on March fifth, nineteen hundred and seventeen are hereby authorized and empowered to notify in the manner provided by law, a meeting of the inhabitants of Methuen, duly qualified to vote, for the purpose of voting whether or not to petition the general court to erect and constitute a limited or representative town meeting form of government in said Methuen, and they are further authorized to call from time to time until the election and qualification of their successors, such town meetings as they may deem necessary.

Who entitled to vote at town meetings.

SECTION 2. All inhabitants of Methuen whose names appear as qualified voters of said Methuen upon the latest voting lists prepared by John T. Douglas, Ansel L. Huckman, Henry H. Crompton and Edward J. Feeney, as registrars of voters of said Methuen, shall be entitled to vote at any town meeting called by said selectmen previous to the election and qualification of their successors unless the names of any such voters are on said check list contrary to law, and said registrars of voters shall continue to act as such in said

Registrars of voters to continue to act, etc.

town until after the next annual town meeting and their acts as registrars of voters are hereby ratified and confirmed and made valid to the same extent as if they had been duly qualified registrars of voters in said town.

SECTION 3. This act shall take effect upon its passage.

Approved February 10, 1921.

AN ACT TO ABOLISH THE OFFICE OF HIGHWAY SURVEYOR Chap. 20
OF THE TOWN OF NATICK.

Be it enacted, etc., as follows:

SECTION 1. Upon the election and qualification of the commissioners of public works in the town of Natick under the provisions of chapter twenty-two of the acts of nineteen hundred and twenty, the office of highway surveyor in said town shall be abolished, and all the powers, rights, duties and liabilities of said office or officer so abolished shall be transferred and imposed upon the said commissioners of public works.

Office of highway surveyor of town of Natick abolished.

SECTION 2. This act shall take effect upon its passage.

Approved February 10, 1921.

AN ACT CONFIRMING A CERTAIN CONVEYANCE BY THE CITY Chap. 21
OF WOBURN.

Be it enacted, etc., as follows:

SECTION 1. The action of the city of Woburn in making conveyance, by deed dated August twenty-first, nineteen hundred and sixteen, of certain land on the southerly side of Montvale avenue in said city to the Woburn Grange Building Corporation of Woburn, Massachusetts, is hereby validated and confirmed.

Certain conveyance by city of Woburn confirmed.

SECTION 2. This act shall take effect upon its passage.

Approved February 10, 1921.

AN ACT RELATIVE TO INTEREST RATES ON COUNTY SECURITIES. Chap. 22

Whereas, The deferred operation of this act will necessitate the passage of several special acts relative to the rate of interest on county securities, therefore, this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency preamble.

Be it enacted, etc., as follows:

G. L. 35, § 39,
amended.

Interest rates
on county
securities.

Section thirty-nine of chapter thirty-five of the General Laws is hereby amended by adding at the end thereof the following:—notwithstanding any general or special provision of law enacted prior to said date,—so as to read as follows:—*Section 39.* All bonds, notes and other securities issued by any county after April twenty-second, nineteen hundred and twenty, shall bear such rate of interest as the county treasurer, with the approval of the county commissioners, may fix, notwithstanding any general or special provision of law enacted prior to said date.

Approved February 10, 1921.

Chap. 23 AN ACT TO INCREASE SEWER BETTERMENT ASSESSMENTS
IN THE TOWN OF NORTH ANDOVER.

Be it enacted, etc., as follows:

1906, 380, § 6,
amended.

Sewer better-
ment assess-
ments in town
of North
Andover in-
creased.

SECTION 1. Section six of chapter three hundred and eighty of the acts of nineteen hundred and six is hereby amended by striking out, in the sixth line, the word "Three", and inserting in place thereof the word:—Six,—so as to read as follows:—*Section 6.* The owners of estates benefited by and abutting on any streets or ways, public or private, in which sewers shall be laid under the provisions of this act, shall pay to said town toward defraying the cost of said sewer system or systems of sewerage and sewage disposal an assessment or betterment charge as follows:—Six tenths of one cent per square foot of area within the depth of one hundred feet from the line of such street or way. In the case of corner estates abutting on more than one sewer street the same area shall not be assessed twice. No estate shall be deemed benefited unless or until a sewer has been constructed into which it can be drained. The remainder of the cost of said system or systems shall be borne by the town. No particular or other sewers from any estate or part of an estate not already assessed or not liable to assessment as provided above shall be entered into a common sewer, except upon the payment of such an assessment and upon such other terms and conditions as the board of public works shall determine.

To be sub-
mitted to
voters, etc.

SECTION 2. This act shall take effect upon its acceptance within two years after its passage by a majority of the voters of the town of North Andover voting thereon at a town meeting.

Approved February 10, 1921.

AN ACT RELATIVE TO THE CONSTRUCTION OF WEIRS, POUND *Chap. 24*
NETS OR FISH TRAPS IN TIDE WATER. .

Whereas, There is immediate need of further regulation of the use and construction of weirs, pound nets, etc., in tide waters, therefore this act is hereby declared to be an emergency law necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

Chapter one hundred and thirty of the General Laws is hereby amended by striking out section one hundred and forty-five and inserting in place thereof the following: —

G. L. 130, —
§ 145,
amended.

Section 145. The aldermen of a city and the selectmen of a town lying upon tide water, may, in writing, authorize any person to construct weirs, pound nets or fish traps in tide water in locations not only where no harbor lines exist but also in locations beyond established harbor lines, within the limits of such city or town, for a term not exceeding five years, upon such terms and subject to such regulations, as the aldermen and the selectmen may, in their discretion impose, but no authority or license so given shall be valid unless approved in writing by the division of waterways and public lands of the department of public works, upon such terms and subject to such conditions as it may, in its discretion, impose.

City and
town officials
may authorize
construction of
weirs, etc., in
tide water.

Approved February 11, 1921.

AN ACT TO PROTECT FISH IN CERTAIN WATERS OF MENEM- *Chap. 25*
SHA POND IN THE TOWN OF GAY HEAD.

Be it enacted, etc., as follows:

SECTION 1. No person shall practice beam trawling in that part of Menemsha pond which lies within the town of Gay Head without first securing a permit therefor from the selectmen of said town. The said selectmen may, subject to such regulations as they may from time to time prescribe, grant permits in writing to practice beam trawling in said part, and may charge a reasonable fee therefor. They may revoke said permits at any time.

Beam trawling
prohibited in
certain waters
of Menemsha
pond in Gay
Head without
permits.

SECTION 2. Violation of this act shall be punished by a fine of not more than fifty dollars.

Penalty.

Approved February 16, 1921.

Chap. 26 AN ACT AUTHORIZING THE TOWN OF NEEDHAM TO BORROW MONEY FOR A GRAMMAR SCHOOL BUILDING.

Be it enacted, etc., as follows:

Town of Needham may borrow money for a grammar school building.

For the purpose of constructing a grammar school building, and for the purchase of original equipment and furnishings for said building, the town of Needham may borrow a sum not exceeding one hundred and twenty-five thousand dollars and may issue bonds or notes therefor which shall bear on their face the words, Needham School Loan, Act of 1921. Each issue thereof shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit but shall otherwise be subject to chapter forty-four of the General Laws.

Needham School Loan, Act of 1921.

Approved February 16, 1921.

Chap. 27 AN ACT AUTHORIZING THE TOWN OF WATERTOWN TO INCUR INDEBTEDNESS FOR ADDITIONAL SCHOOL ACCOMMODATIONS.

Be it enacted, etc., as follows:

Town of Watertown may incur indebtedness for additional school accommodations.

SECTION 1. The town of Watertown, for the purpose of paying the cost of construction of a schoolhouse and the cost of the original equipment and furnishings for the same, to be located in the western part of said town, or elsewhere in said town, as it shall direct, may borrow from time to time such sum or sums of money, as, in the aggregate, shall not exceed three hundred and fifty thousand dollars, and may issue notes or bonds therefor which shall bear upon their face the words, Watertown School Loan, Act of 1921. Each of said issues shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit but shall otherwise be subject to chapter forty-four of the General Laws.

Watertown School Loan, Act of 1921.

SECTION 2. This act shall take effect upon its passage.

Approved February 18, 1921.

Chap. 28 AN ACT AUTHORIZING THE CITY OF LYNN TO BORROW MONEY FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

City of Lynn may borrow money for school purposes.

SECTION 1. The city of Lynn, for the purpose of constructing, equipping and furnishing a junior high school building, and for the purchase of land therefor, may issue

from time to time notes or bonds to an amount not exceeding four hundred thousand dollars, and for the purpose of constructing, equipping and furnishing elementary school buildings, may issue from time to time notes or bonds to an amount not exceeding one hundred thousand dollars. Such notes or bonds shall bear on their face the words, City of Lynn School Loan, Act of 1921; shall be signed by the treasurer, countersigned by the auditor, and approved by the mayor; shall be issued in excess of the statutory limit of indebtedness of said city, and except as herein provided, shall be subject to chapter forty-four of the General Laws. Each authorized issue shall constitute a separate loan.

City of Lynn
School Loan,
Act of 1921.

SECTION 2. This act shall take effect upon its passage.

Approved February 18, 1921.

AN ACT RELATIVE TO THE CONSTRUCTION OF A SYSTEM OF SEWERAGE IN THE TOWN OF BRAINTREE.

Chap. 29

Be it enacted, etc., as follows:

SECTION 1. Chapter five hundred and thirty-five of the acts of nineteen hundred and ten is hereby amended by striking out section six and inserting in place thereof the following: — *Section 6.* The town of Braintree, for the purpose of paying the necessary expenses and liabilities incurred under this act, may incur indebtedness to an amount not exceeding five hundred thousand dollars, and may issue from time to time therefor bonds or notes; and the debt and loan authorized by this act and the bonds or notes issued therefor shall not be reckoned in determining the statutory limit of indebtedness of the town. Such bonds or notes shall bear on their face the words, Braintree Sewerage Loan, Act of 1910, shall be payable within periods not exceeding thirty years from the dates of issue, and shall carry such rate of interest as may be fixed by the town treasurer with the approval of the selectmen, payable semi-annually. They shall be signed by the treasurer of the town and countersigned by a majority of the selectmen. The town may from time to time sell such securities, or any part thereof, at public or private sale, but not for less than their par value. The proceeds thereof shall be retained in the treasury, and the treasurer shall, upon the order of said board of commissioners, pay therefrom the expenses incurred for the purposes aforesaid.

1910, 535, § 6,
amended.

Town of
Braintree may
incur in-
debtedness for
the construc-
tion of a
system of
sewerage.

Braintree
Sewerage
Loan, Act of
1910.

SECTION 2. This act shall take effect upon its passage.

Approved February 18, 1921.

Chap. 30 AN ACT AUTHORIZING THE CITY OF TAUNTON TO APPROPRIATE MONEY FOR THE RELIEF OF PERSONS INJURED BY RABID DOGS.

Be it enacted, etc., as follows:

City of Taunton may appropriate money for relief of persons injured by rabid dogs.

SECTION 1. The city of Taunton may appropriate in the year nineteen hundred and twenty-one a sum of money, not exceeding the sum received from the Bristol county dog fund for the year nineteen hundred and twenty, for the purpose of paying in whole or in part the expense of Pasteur treatment incurred by persons in said city who were injured by rabid dogs in the year nineteen hundred and twenty, and out of said appropriation may pay for said purpose such sums as its municipal council may determine to be fair and reasonable.

SECTION 2. This act shall take effect upon its passage.

Approved February 18, 1921.

Chap. 31 AN ACT AUTHORIZING THE TOWN OF MONTAGUE TO APPROPRIATE MONEY FOR PUBLIC BAND CONCERTS.

Be it enacted, etc., as follows:

Town of Montague may appropriate money for public band concerts.

SECTION 1. The town of Montague may appropriate annually, a sum not exceeding one thousand dollars, to be expended for public band concerts under the direction of the selectmen.

SECTION 2. This act shall take effect upon its passage.

Approved February 18, 1921.

Chap. 32 AN ACT AUTHORIZING THE CITY OF NEWBURYPORT TO BORROW MONEY FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

City of Newburyport may borrow money for school purposes.

SECTION 1. For the purpose of acquiring a site and building a school building in the southeasterly part of the city of Newburyport, said city may, from time to time, borrow such sums not exceeding, in the aggregate, one hundred and fifty thousand dollars, as may be necessary, and may issue notes or bonds therefor, which shall bear on their face the words, Newburyport School Loan, Act of 1921. Each authorized issue shall constitute a separate loan. In-

Newburyport School Loan, Act of 1921.

debtedness incurred under this act shall be in excess of the statutory limit but shall otherwise be subject to chapter forty-four of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved February 18, 1921.

AN ACT TO AUTHORIZE THE TOWN OF NORWOOD TO MAKE Chap. 33
AN ADDITIONAL WATER LOAN.

Be it enacted, etc., as follows:

SECTION 1. The town of Norwood, for the purpose of procuring an additional water supply, increasing and improving its storage, pumping and distributing facilities, and extending and relaying its water mains, may borrow from time to time outside the statutory limit of indebtedness such sums as may be necessary to an amount not exceeding sixty thousand dollars; and may issue therefor bonds or notes. Said bonds or notes shall be denominated on the face thereof: Norwood Water Loan, Act of 1921; shall be signed by the treasurer and collector of taxes and countersigned by the selectmen; and shall be payable at the expiration of periods not exceeding thirty years from the respective dates of issue and in the manner set forth in chapter forty-four of the General Laws. Each authorized issue shall constitute a separate loan, and any premiums received thereon shall be used as directed by general law.

Town of Norwood may make an additional water loan.

Norwood Water Loan, Act of 1921.

SECTION 2. This act shall take effect upon its passage.

Approved February 18, 1921.

AN ACT TO EXTEND THE TIME FOR COMPLETING THE RAIL- Chap. 34
ROAD OF THE SOUTHERN NEW ENGLAND RAILROAD CORPORATION.

Be it enacted, etc., as follows:

The time within which the Southern New England Railroad Corporation may complete and open its railroad for use is hereby further extended to December thirty-first, nineteen hundred and twenty-three.

Time for completing railroad of Southern New England Railroad Corporation, extended.

Approved February 18, 1921.

Chap. 35 AN ACT TO CHANGE THE TIME FOR THE SITTING OF THE SUPERIOR COURT FOR CIVIL BUSINESS AT NEWBURYPORT IN THE COUNTY OF ESSEX.

Be it enacted, etc., as follows:

G. L. 212, § 14,
amended.

Time for sitting
of superior
court for civil
business at
Newburyport
in county of
Essex,
changed.

Section fourteen of chapter two hundred and twelve of the General Laws is hereby amended by striking out, in the seventeenth line, the word "first", and inserting in place thereof the word: — second, — and by striking out, in the same line, the word "October", and inserting in place thereof the word: — November, — so that the clause included in lines fifteen to nineteen, inclusive, will read as follows: — For Essex, for civil business, at Salem, the first Mondays of June and December; at Lawrence, the first Monday of March; and at Newburyport, the second Monday of November; for criminal business, at Salem, the second Monday of January; at Newburyport, the second Monday of May; and at Lawrence, the second Monday of September.

Approved February 18, 1921.

Chap. 36 AN ACT TO PROVIDE FOR PRECINCT VOTING, LIMITED TOWN MEETINGS, TOWN MEETING MEMBERS, A REFERENDUM AND AN ANNUAL MODERATOR IN THE TOWN OF BROOKLINE.

Be it enacted, etc., as follows:

Precinct
voting, limited
town meetings,
etc., in town
of Brookline.

SECTION 1. Upon the acceptance of this act by the town of Brookline, as hereinafter provided, the division of the territory of that town into nine voting precincts by the selectmen heretofore made by them acting under the provisions of chapter two hundred and fifty of the Special Acts of nineteen hundred and fifteen, as amended, and the re-establishment of the same by the selectmen in January, nineteen hundred and twenty-one, are hereby ratified and confirmed. Upon the revision once in five years as hereinafter provided, the voting precincts established by the selectmen shall be not less than eight nor more than twelve, to be designated by numbers or letters and to contain approximately an equal number of registered voters, but not less than six hundred in any precinct. Such precincts shall be so established as to consist of compact and contiguous territory, to be bounded, as far as possible, by the center line of known streets and ways or by other well-defined limits. The

boundaries of all of such precincts shall be reviewed and, if need be, shall be in part or wholly revised, and the number of the same may be increased within the limit of twelve by the selectmen in the month of January, once in every five years, so as to maintain approximately an equal number of registered voters in each precinct. The selectmen shall, within ten days after any and every establishment of such precincts or revision thereof, file a report of their doings with the town clerk, and also with the registrars of voters and with the assessors, with a map or maps or description of such precincts and with the names and residences of the registered voters therein. The selectmen shall also cause to be posted in the town hall a map or maps or description of the precincts as established from time to time, with the names and residences of the registered voters therein; and they shall also cause to be posted in at least three public places in each precinct a map or description of that precinct, with the names and residences of the registered voters therein. The division of the town into voting precincts and any revision of such precincts shall take effect, respectively, upon the date of the filing of the report thereof by the selectmen with the town clerk. Whenever such precincts are established or revised, the town clerk shall forthwith give notice thereof in writing to the secretary of the commonwealth, stating the number and designation of such precincts. The provisions of chapter fifty-four of the General Laws relating to precinct voting at all elections, so far as the same are not inconsistent with this act, shall apply to the town of Brookline, at all elections and primaries preliminary thereto, upon the establishment of voting precincts as hereinbefore provided.

Selectmen to report doings, etc.

Division of town into voting precincts, date of taking effect, etc.

SECTION 2. There shall be twenty-seven town meeting members of the town in each of such precincts elected by ballot conformably to the laws relative to elections not inconsistent with this act, other than those officials hereinafter designated in section three as town meeting members at large. The town meeting members heretofore elected under the provisions of the said chapter two hundred and fifty of the Special Acts of nineteen hundred and fifteen, as amended, and those elected at the annual town election in nineteen hundred and twenty-one shall be town meeting members for the terms for which they were so elected. Hereafter, except as hereinafter provided, at each annual town election the said voters of each precinct in the town shall, in like manner,

Town meeting members, election, etc.

New election
of town meet-
ing members,
when, etc.

Notice of
election.

Town meetings
limited to
certain elected
members and
members at
large.

Notice of town
meetings.

Quorum.

Open doors for
town meetings.
No compensa-
tion for
members.

elect nine of their number to be town meeting members of the town for the term of three years, and shall at such election fill for the unexpired term or terms any vacancies then existing in the number of town meeting members in their respective precincts. Upon every revision of the precincts or of any of them the term or terms of office of all town meeting members within each and every such revised precinct shall cease at the next ensuing annual town election, and at such annual town election there shall be an entirely new election of town meeting members in each and every precinct so revised, as well as in any new precinct or precincts established. The town clerk shall, after every election of town meeting members, forthwith notify each member by mail of his or her election, with instructions to signify in writing to the town clerk within seven days from the receipt of such notice his or her acceptance or refusal of such membership.

SECTION 3. The town meetings of Brookline, except as otherwise provided for in section five of this act shall, thereafter, be limited to, or composed each year of, the registered voters specified and elected under sections two and seven of this act, together with the following, designated as town meeting members at large, namely: — (1) the members from Brookline in the general court of the commonwealth of Massachusetts, (2) the moderator, (3) the town clerk, (4) the selectmen, (5) the town treasurer, the chairman of each of the following boards: (6) of the assessors, (7) of the school committee, (8) of the trustees of the public library, (9) of the trustees of the Walnut Hills cemetery, (10) of the water board, (11) of the park commissioners, (12) of the planning board, (13) of the committee for planting trees, (14) of the gymnasium and baths committee, and (15) of the registrars of voters. The town clerk shall notify the town meeting members of the time when and place where town meetings are to be held, such notices, when practicable, to be sent by mail at least four days before any such meeting. The town meeting members, as aforesaid, shall be the judges of the elections and qualifications of their own members. Not less than one half of all of the town meeting members, as aforesaid, of any such limited town meeting must be present thereat to constitute a quorum for doing business; but a less number may organize temporarily and may adjourn from time to time. All town meetings shall be held with open doors. The town meeting members shall receive no compensation for their services as such. Subject to such condi-

tions as may be determined from time to time by its members at any such limited town meeting any registered voter of the town who is not a town meeting member may speak, but not vote, at such a meeting. Any town meeting member may resign as such member by filing a written notice to that effect with the town clerk, such resignation to take effect on the date of such filing; and any town meeting member who removes from Brookline shall cease to be a town meeting member.

Resignations,
etc.

SECTION 4. Nominations of candidates for town meeting members to be elected under section two of this act shall be made by nomination papers signed in no case by less than thirty registered voters of the precinct in which the candidate or candidates reside and filed with the town clerk at least ten days before election. No nomination paper shall be valid in respect to any candidate whose written acceptance is not thereon or attached thereto; provided, however, that any town meeting member may become a candidate for re-election by giving written notice thereof to the town clerk at least twenty days before such election.

Nominations,
how made.

Proviso.

SECTION 5. The articles in the warrant for every town meeting in Brookline, so far as they relate to the election of the moderator, town officers, town meeting members, as hereinbefore provided, to referenda and to all matters to be acted upon and be determined by ballot by the registered voters of the town in their respective precincts, shall be so acted upon and be determined. All other articles in the warrant for any town meeting in Brookline shall be acted upon and be determined exclusively by the town meeting members at a meeting to be held at such time and place as shall be set forth by the selectmen in the warrant for such meeting and subject to the referendum under section eight.

Warrant
articles, how
acted upon,
etc.

SECTION 6. A moderator shall be elected by ballot at each annual town meeting and shall serve as the moderator of all town meetings until his successor is elected and qualified. Nominations for moderator and his election shall be as in the case of other elective town officers. If a vacancy in the said office occurs during any term it may be filled by the town meeting members at a meeting held for that purpose. If a moderator is absent, a moderator pro tempore may be elected by the town meeting members.

Moderator,
election, etc.

SECTION 7. Any vacancy or vacancies in the full number of twenty-seven town meeting members from any precinct may be filled by the remaining members from such precinct

Vacancies, how
filled, etc.

Town clerk to
give notice of
vacancy, etc.

Quorum.

from among the registered voters of the precinct for and during the unexpired term of the year and until the next annual town election. Upon a petition therefor, signed by not less than ten town meeting members from such precinct, notices thereof shall be promptly given by the town clerk to the remaining members from the precinct in which such vacancy or vacancies exist, and the town clerk shall call a special meeting of such members for the purpose of filling such vacancy or vacancies. He shall cause to be mailed to each of such members, not less than four days before the time set for such meeting, a notice thereof, specifying the object, the time and the place therefor. At such meeting a majority of such members shall constitute a quorum, and they shall elect from their own number a chairman and a clerk. The choice to fill any such vacancy or vacancies shall be by ballot and a majority of the votes cast shall be required to choose. The chairman and clerk shall make a certificate of such choice and forthwith file the same with the town clerk, together with a written acceptance of the office by the member or members so chosen, which filing shall constitute an election of, and give to such member or members the full powers of a town meeting member or members under this act, subject to the right to judge of the election and qualification of members as set forth in section three.

Votes author-
izing certain
expenditures,
when to be-
come opera-
tive.

Referendum.

SECTION 8. If at any limited town meeting in Brookline, a vote is passed that authorizes an expenditure of twenty-five thousand dollars or more for a special appropriation, such vote shall not become operative until after the expiration of a period of five days, exclusive of Sundays and holidays, from the day of the dissolution of such meeting. If, within the said period of five days, a petition is addressed to and filed with the selectmen, and is signed by not less than twenty registered voters of Brookline from each precinct therein, giving their street addresses, asking that the question or questions involved in such vote be submitted to the registered voters at large of the town, the selectmen and the moderator shall, within fourteen days after the filing of the said petition, frame and present the question or questions so involved to a special town meeting of the registered voters at large of the town, to be held for that purpose, at which meeting the ballot and the check lists shall be used in the respective precincts, and such question or questions shall be determined by vote of the same proportion of the voters at large voting thereon as would have been required by law had the ques-

tion been finally determined at a limited town meeting. If such petition be not filed within the said period of five days, the vote authorizing an expenditure of twenty-five thousand dollars or more for a special appropriation shall become operative upon the expiration of the said period.

SECTION 9. The municipal corporation of the town of Brookline, after its acceptance of this act, shall be capable of acting and of being bound by its said elected and its said designated town meeting members as aforesaid, who shall, when convened from time to time as hereinunder provided constitute limited town meetings; such limited town meetings shall exercise exclusively, so far as shall conform to the provisions of this act, all powers vested in the municipal corporation of Brookline. All provisions of law now or hereafter applicable to the transaction of town affairs in town meetings and to the effect thereof, and now or hereafter applicable to town officers shall, when not inconsistent with the provisions of this act or any amendment or amendments thereof, be hereby extended in their application and effect to the transaction of town affairs in the Brookline limited town meetings, to the members thereof, and to the town of Brookline as affected by the action of such meetings. Lawful action upon any and all articles in the warrant determined by any limited town meeting in Brookline, or as herein provided by the registered voters at large of that town, either under a warrant for an annual town meeting or under a warrant for a special meeting, shall have the same legal effect upon the town of Brookline and its citizens as heretofore under the law and practice binding upon that town and its citizens in town meetings.

Action binding upon town, etc.

SECTION 10. This act shall not abridge the rights of the citizens of Brookline to hold general meetings, according to any right secured to its voters or to the people by the constitution of this commonwealth; nor shall this act confer upon any limited town meeting in Brookline the power finally to commit that town to any proposition affecting its municipal existence or any change in the form of its government, without action thereon by the qualified voters of the town at large, using the ballot and the check list therefor.

General meetings may be held, etc.

SECTION 11. Chapter two hundred and one of the acts of nineteen hundred and one, being an act relative to town meetings in the town of Brookline, and chapter two hundred and fifty of the Special Acts of nineteen hundred and fifteen

Repeals.

Certain acts
ratified and
confirmed.

and any amendments thereof are hereby repealed, but all acts done, elections held, and votes passed under the provisions of the said chapter two hundred and fifty and amendments thereof by the said town or any of its officers or town meeting members, from the time of the passage of the said act to the time such repeal takes effect, are hereby ratified and confirmed. The calling of the general town meeting held in the said town on Wednesday, February second, nineteen hundred and twenty-one, and any and all actions taken and votes passed at the same are also hereby ratified and confirmed.

To be sub-
mitted to
voters at next
annual town
meeting, etc.

SECTION 12. The question of the acceptance of this act by the town of Brookline shall be submitted to the registered voters of that town at the next annual town meeting. The vote shall be taken by ballot in accordance with the provisions of chapters fifty to fifty-six, inclusive, of the General Laws, so far as the same shall be applicable and not inconsistent herewith, in answer to the following question which shall be printed on the official ballot used for the election of town officers: "Shall an act passed by the general court in the year nineteen hundred and twenty-one, entitled 'An Act to provide for precinct voting, limited town meetings, town meeting members, a referendum and an annual moderator in the town of Brookline', be accepted by this town?", and the affirmative votes of a majority of the registered voters of that town present and voting thereon shall be required for and shall determine its acceptance by that town.

Time of taking
effect.

SECTION 13. So much of this act as authorizes its submission to the registered voters of the town of Brookline shall take effect upon its passage but this act shall not take further effect unless and until accepted by the town of Brookline as herein provided.

Approved February 18, 1921.

Chap. 37 AN ACT AUTHORIZING THE CITY OF WORCESTER TO MAKE ORDINANCES PROVIDING FOR THE CONTROL OR PREVENTION OF SMOKE AND CINDERS.

Be it enacted, etc., as follows:

1914, 123, § 1,
amended.

SECTION 1. Section one of chapter one hundred and twenty-three of the acts of nineteen hundred and fourteen is hereby amended by inserting after the word "smoke", in the third and fifth lines, the words: — or cinders, — so as to read as follows: — *Section 1.* The city of Worcester, by vote of its city council, may make ordinances for the control

Control or
prevention of
smoke and

or prevention of the emission of smoke or cinders of such character as shall be adjudged harmful, and for the control or prevention of agencies causing such smoke or cinders, and for the enforcement thereof may appoint officers or agents and appropriate money for salaries and for expenses: *provided*, that no such ordinance shall apply to railroads or railroad operations or employees.

cinders in city of Worcester.

Proviso.

SECTION 2. This act shall take effect upon its passage.

Approved February 21, 1921.

AN ACT TO AUTHORIZE COUNTIES TO PAY THEIR EMPLOYEES WHO SERVED IN THE WORLD WAR THE DIFFERENCE BETWEEN THEIR MILITARY AND THEIR COUNTY COMPENSATION. Chap. 38

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter two hundred and fifty-four of the General Acts of nineteen hundred and seventeen is hereby amended by inserting before the word "Cities", in the first line, the word:— Counties, — and by inserting before the word "city", in the thirteenth line, the word:— county, — so as to read as follows:— *Section 1.* Counties, cities and towns are hereby authorized to pay to employees leaving their service between March twenty-fifth, nineteen hundred and seventeen, and the close of the war, as determined by the United States government, for the purpose of entering the military or naval service of the United States, an amount equal to the difference between the compensation which such employees were receiving at the time of leaving such service and the pay which they receive while in said military or naval service under the acts of congress and of this commonwealth, including aid to their dependents. The payments herein provided for shall date from the time when the employee leaves the service of the county, city or town. Payments hereunder shall continue to be made for six months after the close of the war as determined aforesaid unless the recipient is sooner discharged.

1917, 254 (G), § 1, amended.

Counties, cities and towns may pay their employees who served in world war the difference between their military and their county or municipal compensation.

SECTION 2. Chapter two hundred and thirty-five of the acts of nineteen hundred and twenty is hereby amended by striking out section one and inserting in place thereof the following:— *Section 1.* Payments made by counties, cities and towns, under section one of chapter two hundred and fifty-four of the General Acts of nineteen hundred and seventeen, as amended, to employees who served in the world war,

1920, 235, § 1, amended.

Payments to be made to all such employees, etc.

of the difference between their military and their county or municipal compensation, shall be made to all such employees whether they enlisted, or were drafted, inducted or commissioned in the service of the United States.

To be submitted to county commissioners.

SECTION 3. This act shall take effect as to any county upon its acceptance by the county commissioners.

(The foregoing was laid before the governor on the fifteenth day of February, 1921, and after five days it had "the force of a law", as prescribed by the constitution, as it was not returned by him with his objections thereto within that time.)

Chap. 39 AN ACT AUTHORIZING THE TOWN OF FRAMINGHAM TO RETIRE EMMA L. CLARKE ON A PENSION.

Be it enacted, etc., as follows:

Town of Framingham may pension Emma L. Clarke.

SECTION 1. The town of Framingham may retire Emma L. Clarke, for thirty years librarian of its free public library, on an annual pension not exceeding eight hundred dollars, payable, so long as she lives, in equal quarterly payments.

To be submitted to voters, etc.

SECTION 2. This act shall take effect upon its acceptance by a majority of the voters of the town of Framingham present and voting thereon at a meeting called for the purpose within one year from its passage, but for the purpose of being submitted to the voters as aforesaid shall take effect upon its passage.

Approved February 23, 1921.

Chap. 40 AN ACT TO VALIDATE THE ORGANIZATION OF THE MONTEREY WATER COMPANY.

Be it enacted, etc., as follows:

Organization of Monterey Water Company validated.

SECTION 1. Upon the making and filing of the certificate required by section thirteen of chapter one hundred and fifty-five of the General Laws, the organization of the Monterey Water Company, incorporated by chapter two hundred and sixty-seven of the Special Acts of nineteen hundred and seventeen is hereby validated, and all the acts purporting to be acts of a corporation of that name are hereby ratified and confirmed as the legal acts of said corporation, provided that said certificate is made and filed within thirty days after the passage of this act.

Proviso.

SECTION 2. This act shall take effect upon its passage.

Approved February 28, 1921.

AN ACT AUTHORIZING THE TOWN OF BRAINTREE TO BORROW *Chap. 41*
MONEY FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. Chapter twenty-seven of the acts of nineteen hundred and twenty is hereby amended by striking out section one and inserting in place thereof the following: — *Section 1.* For the purpose of constructing a new high school building or additions to school buildings where such additions increase the floor space, and other school buildings, and for the purchase of original equipment and furnishings for said buildings or additions, the town of Braintree may borrow a sum not exceeding four hundred thousand dollars and may issue notes or bonds therefor which shall bear on their face the words, Braintree School Loan, Act of 1920. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit but shall otherwise be subject to chapter forty-four of the General Laws.

1920, 27, § 1,
amended.

Town of
Braintree may
borrow money
for school
purposes.

Braintree
School Loan,
Act of 1920.

SECTION 2. This act shall take effect upon its passage.

Approved February 28, 1921.

AN ACT TO EXTEND THE BUDGET SYSTEM TO EXPENDITURES *Chap. 42*
FOR CLERICAL ASSISTANCE IN THE SEVERAL REGISTRIES
OF PROBATE.

Whereas, Delay in the taking effect of this act would cause great inconvenience in the making of necessary appropriations for clerical assistance in the several registries of probate, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

SECTION 1. Chapter two hundred and seventeen of the General Laws is hereby amended by striking out section thirty-three and inserting in place thereof the following: — *Section 33.* (a) The registers for the several counties shall annually be allowed for clerical assistance in their respective counties, to be paid by the commonwealth, such sums as shall annually be appropriated by the general court. The said registers shall annually submit on or before the fifteenth day of October to the supervisor of administration a state-

G. L. 217, § 33,
amended.

Budget system
for payments
for clerical
assistance in
the several
registries of
probate.

ment showing in detail the amounts expended by them for clerical assistance in their respective counties for the current fiscal year, and estimates of the amounts required for clerical assistance for the ensuing fiscal year, with an explanation of any increased appropriations recommended and citations of the statutes relating thereto, together with such other information from time to time as may be required by the supervisor. The registers shall file at the same time duplicate copies thereof with the state auditor. If said estimates include any recommendations for expenditures for new or special purposes or objects not authorized by statute, such recommendations shall be separately itemized in detail, together with such other information relating thereto as the supervisor requires. The supervisor shall study and review all estimates and requests for appropriations and other authorizations for expenditure of state funds filed with him pursuant to this section, and shall make such investigations as he may deem necessary in the preparation of the budget for the governor. (b) In the case of any clerical employees in the registries of probate of Middlesex and Suffolk counties whose salaries are assumed by the commonwealth under the terms of this section, service rendered prior to such assumption shall be counted as part of a continuous service under the terms of sections one to five, inclusive, of chapter thirty-two, and any such employee, irrespective of age, shall become a member of the state retirement system, but no such employee shall remain in the service of the commonwealth after reaching the age of seventy. (c) All clerical employees in the various registries of probate shall be subject to the provisions of sections forty-five to fifty, inclusive, of chapter thirty.

Registers to file duplicate copies with state auditor.

Certain clerical employees in registries of probate of Middlesex and Suffolk counties to become members of state retirement system, etc.

Classification of clerical employees in the various registries of probate.

G. L. 217, § 39, amended. Salaries of clerks of registers, etc.

Additional allowances to registers of probate for Middlesex and Suffolk counties during current fiscal year.

SECTION 2. Section thirty-nine of said chapter two hundred and seventeen is hereby amended by striking out lines one to five, inclusive.

SECTION 3. In addition to the amounts which may be appropriated by the general court in accordance with section one of this act for the current fiscal year, the registers of probate for Middlesex and Suffolk counties shall be allowed during the current fiscal year the following amounts for clerical assistance from their respective counties: —

Middlesex county, forty-eight hundred dollars and such further amount as may be required to comply with section one of chapter two hundred and sixty of the General Acts of nineteen hundred and eighteen, and chapter two hundred

and seventy-six of the General Acts of nineteen hundred and nineteen.

Suffolk county, twenty-five hundred dollars and such further amount as the city council of Boston may lawfully approve.

The registers of probate for Middlesex and Suffolk counties may continue expenditures in the fiscal year beginning December first, nineteen hundred and twenty-one, at the rate authorized by appropriations from the commonwealth and from their respective counties until the general court makes an appropriation therefor or provides otherwise.

Registers of probate for Middlesex and Suffolk counties may continue certain expenditures, etc.

Approved February 28, 1921.

AN ACT TO PROVIDE FOR THE RETENTION IN SERVICE OF CERTAIN MEMBERS OF THE FIRE DEPARTMENT OF THE CITY OF LAWRENCE.

Chap. 43

Be it enacted, etc., as follows:

SECTION 1. The following named persons shall be eligible as substitute or as call firemen in the fire department of the city of Lawrence: — J. Louis Boehm, Joseph E. Cookson, John W. Colbert, Thomas Craven, Stephen J. Hayes, James Hazelhurst, Henry M. Kane, Joseph H. Lamond, Edward F. McCarthy, John F. McCarthy, William A. Summers, Harry T. Knight and Frank C. Ray.

Certain persons to be eligible as substitute or as call firemen in Lawrence fire department.

SECTION 2. This act shall take effect upon its passage.

Approved February 28, 1921.

AN ACT RELATIVE TO UNAUTHORIZED OR IRREGULAR ACTS OF CERTAIN OFFICERS APPOINTED BY THE PROBATE COURT.

Chap. 44

Be it enacted, etc., as follows:

SECTION 1. Section twenty-three of chapter two hundred and four of the General Laws is hereby amended by striking out, in the second line, the word "or", and inserting in place thereof a comma, and by inserting after the word "trustee", in the same line, the words: — , receiver, commissioner or in any other fiduciary capacity, — so as to read as follows: — *Section 23.* If an act or proceeding of a person acting as executor, administrator, guardian, conservator, trustee, receiver, commissioner or in any other fiduciary capacity under an appointment or license of a probate court is void or voidable by reason of an irregularity or of want of

G. L. 204, § 23, amended.

Confirmation, etc., of void acts of executors, administrators, receivers, commissioners, etc.

jurisdiction or authority in the court which made the appointment or granted the license, any person interested in or affected by such act or proceeding may have the matter heard and determined by the supreme judicial court in equity, which may confirm or set aside, in whole or in part, the act or proceeding.

G. L. 204, § 24,
amended.

Ratification,
etc., of doubtful
acts of
executors, ad-
ministrators,
receivers, com-
missioners,
etc.

SECTION 2. Section twenty-four of said chapter two hundred and four is hereby amended by inserting after the word "receiver", in the third and thirteenth lines, respectively, the words: — , commissioner or other fiduciary officer, — so as to read as follows:— *Section 24.* If the authority or validity of an act or proceeding of the probate court or of a person acting as executor, administrator, guardian, conservator, receiver, commissioner or other fiduciary officer appointed by the probate court, or trustee is drawn in question by reason of an alleged irregularity, defective notice or want of authority, any party interested in or affected by such act or proceeding may apply to the probate court having jurisdiction of the subject matter relative to which the act or proceeding has been had, and the court, after notice to all parties interested, and to the persons who may be the parents of such parties not in being, with power to appoint a guardian or next friend to represent the interests of any person unborn or unascertained, may hear and determine the matter and confirm the act or proceeding, in whole or in part, and may authorize and empower the executor, administrator, guardian, conservator, receiver, commissioner or other fiduciary officer appointed by the probate court, or trustee, or any successor or other person who may be legally appointed to act in the same capacity, to ratify and confirm such act or proceeding and to execute and deliver such deeds, releases, conveyances and other instruments as may be found necessary therefor; but no act or proceeding shall be ratified or confirmed which the court might not have passed or authorized in the first instance upon due proceedings.

Certain acts
not to be
ratified.

G. L. 204, § 25,
amended.

Liability
of irregularly
appointed
executors, ad-
ministrators,

SECTION 3. Section twenty-five of said chapter two hundred and four is hereby amended by striking out, in the first line, the word "or", and inserting in place thereof a comma, and by inserting after the word "trustee", in the second line, the words: — , receiver, commissioner or other fiduciary officer appointed by the probate court, — so as to read as follows:— *Section 25.* An executor, administrator, guardian, conservator, trustee, receiver, commissioner or other fiduciary officer appointed by the probate court whose

appointment is invalid by reason of an irregularity or of want of jurisdiction or authority in the court which made it, shall account for all money, property or assets coming to his hands in said capacity as if the appointment had been regular and valid; and any bond given in pursuance of such appointment shall be valid and binding on the principals and sureties; and payments to or by a person so appointed, if in other respects properly made, may with the approval of the probate court be ratified and confirmed by the executor, administrator, guardian, conservator or trustee who is afterward legally appointed.

SECTION 4. Section twenty-six of said chapter two hundred and four is hereby amended by striking out, in the first line, the word "or", and inserting in place thereof a comma, and by inserting after the word "trustee," in the second line, the words: — receiver, commissioner or other fiduciary officer appointed by the probate court, — so as to read as follows: — *Section 26.* If an executor, administrator, guardian, conservator, trustee, receiver, commissioner or other fiduciary officer appointed by the probate court, or a person employed by him to give notice of an appointment or notice of sale of real estate, has failed to file an affidavit of such notice in the probate court and such affidavit cannot be obtained, the court may, upon petition of any person interested in real estate the title to which may be affected thereby, stating the particular failure complained of and averring that the affidavit cannot be obtained, order notice by publication to creditors of, and others interested in, the estate in the settlement of which the failure complained of occurred. If, upon return of such notice and after hearing, the court is satisfied that such notice was in fact given, it may make a decree to that effect.

G. L. 204, § 26, amended.

Failure of proof of notice of appointment or sale by executors, administrators, receivers, commissioners, etc., how remedied.

Approved February 28, 1921.

AN ACT TO PROVIDE FOR THE MARKING AND SEALING OF CANS AND CONTAINERS USED IN THE WHOLESALE DISTRIBUTION OF MILK OR CREAM.

Chap. 45

Be it enacted, etc., as follows:

SECTION 1. Chapter ninety-eight of the General Laws is hereby amended by striking out section eighteen and inserting in place thereof the following: — *Section 18.* All cans or containers sold for use in the purchase or sale of milk or cream at wholesale shall have their capacity plainly, conspicuously and indelibly marked thereon in terms of

G. L. 98, § 18, amended.

Cans or containers used in wholesale distribution of milk or cream to be marked and sealed.

liquid quarts. They shall be sealed by the manufacturer thereof, as hereinafter provided, or by a sealer of the town where the user resides or has a usual place of business. The director shall prescribe regulations governing the sealing of such cans or containers by the manufacturer and may authorize such sealing by any manufacturer upon his agreement to conform to said regulations. The director may at any time, for cause, revoke the authority so given by him to any manufacturer. When sealed by the manufacturer, such cans or containers shall be marked with his name, initials or trade-mark and with any other designating marks which the director may require. The sealing of such containers by the manufacturer shall not exempt the user from the laws relative to giving a false or insufficient measure, using a false measure, or having the same in possession with intent to use. Sealers of the town where the user resides or has a usual place of business shall at least annually inspect all cans or containers marked and sealed in accordance with this section and shall make a record of such inspections. When once sealed as herein required, a can or container need not again be sealed while in the same condition as when first sealed.

Sealing of
containers not
to exempt
users from
certain laws.

Inspection of
containers,
etc.

G. L. 98, § 19,
amended.

Penalty for
selling con-
tainers not
marked and
sealed.

Penalty for
using contain-
ers not marked
and sealed.

Time of taking
effect.

SECTION 2. Said chapter ninety-eight is hereby further amended by striking out section nineteen and inserting in place thereof the following: — *Section 19.* Whoever, by himself or by his servant or agent, or as the servant or agent of another person, sells any can or container to be used in the purchase or sale of milk or cream at wholesale that is not marked and sealed as required by the preceding section, shall be punished by a fine not exceeding ten dollars for each can or container so sold. Whoever, by himself or by his servant or agent, or as the servant or agent of another person, uses any can or container in the purchase or sale of milk or cream at wholesale that is not marked and sealed as required by the preceding section, shall be punished by a fine not exceeding ten dollars for each offence. The director, inspectors and sealers shall enforce the provisions of this and the preceding section.

SECTION 3. So much of this act as relates to the sale of said cans or containers shall take effect on September first in the current year. So much as relates to the use thereof shall take effect on January first, nineteen hundred and twenty-four.

Approved February 28, 1921.

AN ACT TO PROVIDE FOR BIENNIAL MUNICIPAL ELECTIONS *Chap. 46*
IN THE CITY OF NEW BEDFORD.

Be it enacted, etc., as follows:

SECTION 1. Beginning with the first Tuesday in December, nineteen hundred and twenty-two, municipal elections in the city of New Bedford, for the choice of mayor, aldermen, common councilmen, and other elective city officers, shall be held biennially, on the first Tuesday of December in every even numbered year.

Municipal elections in city of New Bedford to be held biennially.

SECTION 2. The mayor, aldermen and common councilmen of said city shall serve for two years from the first Monday of January following their election and until their successors have qualified. The inauguration meeting and induction into office of the mayor and city council shall be held at eight o'clock in the evening, on the said first Monday of January, provided that whenever said first Monday in January falls on a holiday, said meeting and induction shall occur at the same hour on the following day.

Mayor, aldermen and common councilmen, terms of office, inauguration, etc.

SECTION 3. At each biennial municipal election beginning in December, nineteen hundred and twenty-two, one assessor at large shall be chosen by the voters of said city to serve for the term of six years from the first Monday of the following January. The terms of the two present assessors at large which would expire, in accordance with existing law, in January, nineteen hundred and twenty-four, and in January, nineteen hundred and twenty-five, shall expire in January, nineteen hundred and twenty-five, and in January, nineteen hundred and twenty-seven, respectively.

Assessors at large, election, terms of office, etc.

SECTION 4. At the municipal election to be held in the year nineteen hundred and twenty-one, two members of the school committee shall be chosen by the voters of the city for the term of one year, from the following first Monday in January. At the biennial municipal election to be held in nineteen hundred and twenty-two, three members of the said committee shall so be chosen for terms of two years, and three members for terms of four years, from the following first Monday in January. Thereafter, at every biennial municipal election, three members of the school committee shall be chosen by the voters of the city for terms of four years, from the following first Monday in January.

School committee, election, terms of office, etc.

SECTION 5. This act shall be submitted to the voters of the said city at the municipal election to be held in nineteen

To be submitted to voters, etc.

hundred and twenty-one, in the form of the following question to be placed upon the ballot: — "Shall an act of the general court of the year nineteen hundred and twenty-one, providing for biennial municipal elections in the city of New Bedford, be accepted?" If a majority of the votes cast upon said question are in the affirmative, this act shall take effect, but not otherwise.

Approved February 28, 1921.

Chap. 47 AN ACT AUTHORIZING THE REGISTRATION OF EDNA E. BRIGGS AS A CHIROPODIST.

Be it enacted, etc., as follows:

Board of registration in medicine may register Edna E. Briggs as a chiropodist without examination.

The board of registration in medicine is hereby authorized to register Edna E. Briggs as a chiropodist without examination, and thereupon she shall have and enjoy the same rights and privileges as if registered as provided by chapter one hundred and twelve of the General Laws.

Approved February 28, 1921.

Chap. 48 AN ACT DISPENSING WITH THE ABSTRACT OF CERTAIN ACCIDENTS IN THE ANNUAL REPORT OF THE DEPARTMENT OF PUBLIC UTILITIES.

Be it enacted, etc., as follows:

G. L. 164, § 77, amended.

Section seventy-seven of chapter one hundred and sixty-four of the General Laws is hereby amended by striking out, in the sixth and seventh lines, the words "and an abstract of the accidents reported to it under section ninety-five", so as to read as follows: — *Section 77.* The department shall make an annual report of its doings under this chapter, with such suggestions as to the condition of affairs or conduct of corporations and companies subject to this chapter as may be appropriate, with such abstracts of the returns required by section eighty-three as it deems expedient, but including the names and addresses of the principal officers and of the directors.

Approved February 28, 1921

Chap. 49 AN ACT TO EXTEND THE TIME FOR COMPLETION OF THE LINES OF THE HAMPDEN RAILROAD CORPORATION.

Be it enacted, etc., as follows:

Time for completion of lines of The Hampden

The time within which The Hampden Railroad Corporation, incorporated in nineteen hundred and eleven under the

general laws, is required to locate and complete its lines to Holyoke and Chicopee Falls and open them for use, is hereby extended to July first, nineteen hundred and twenty-four.

Approved February 28, 1921.

Railroad Corporation, extended.

AN ACT RELATIVE TO THE HEALTH AND SAFETY OF CERTAIN EMPLOYEES IN FACTORIES AND WORKSHOPS. *Chap. 50*

Be it enacted, etc., as follows:

Chapter one hundred and forty-nine of the General Laws is hereby amended by striking out section one hundred and twenty and inserting in place thereof the following: — *Section 120.* Every such wheel shall be fitted with a hood or hopper of such form and so placed that the particles or dust produced by the operation of the wheel or of any belt connected therewith shall fall or will be thrown into such hood or hopper by centrifugal force; and the fans or blowers shall be of such size and shall be run at such speed as will produce a volume and velocity of air in the suction and discharge pipes sufficient to convey all particles or dust from the hood or hopper through the suction pipes and so outside of the building or to a receptacle as aforesaid. The hoods or hoppers shall be so constructed and the suction pipes and connections shall be suitable and efficacious and such as shall be approved by the department.

Approved February 28, 1921.

G. L. 149, § 120, amended.

Emery wheels, etc., in factories and workshops to have devices for removing dust, etc.

Approval of devices by department of labor and industries.

AN ACT TO PROVIDE FOR THE WEEKLY PAYMENT OF WAGES TO EMPLOYEES OF TRANSPORTATION COMPANIES. *Chap. 51*

Be it enacted, etc., as follows:

Section one hundred and forty-eight of chapter one hundred and forty-nine of the General Laws is hereby amended by inserting after the word "express", in the fourth line, the following: — , transportation, — so as to read as follows: — *Section 148.* Every person engaged in carrying on a hotel or club in a city, or a factory, workshop, manufacturing, mechanical or mercantile establishment, mine, quarry, railroad or street railway, or telephone, telegraph, express, transportation or water company, or in the erection, alteration, repair or removal of any building or structure, or the construction or repair of any railroad, street railway, road, bridge, sewer, gas, water or electric light works, pipes or lines, shall pay weekly each employee engaged in his business the wages earned by him to within six days of the date of

G. L. 149, § 148, amended.

Weekly payment of wages to certain employees.

said payment; but any employee leaving his employment shall be paid in full on the following regular pay day; and any employee discharged from such employment shall be paid in full on the day of his discharge, or in Boston as soon as the laws requiring pay rolls, bills and accounts to be certified shall have been complied with; and the commonwealth, its departments, officers, boards and commissions shall so pay every mechanic, workman and laborer employed by it or them, and every person employed by it or them in any penal or charitable institution; and every county and city shall so pay every employee engaged in its business the wages or salary earned by him, unless such mechanic, workman, laborer or employee requests in writing to be paid in a different manner; and every town shall so pay each employee in its business if so required by him; but an employee absent from his regular place of labor at a time fixed for payment shall be paid thereafter on demand. This section shall not apply to an employee of a co-operative corporation or association if he is a stockholder therein unless he requests such corporation to pay him weekly. The department of public utilities, after hearing, may exempt any railroad corporation from paying weekly any of its employees if it appears that such employees prefer less frequent payments, and that their interests and the interests of the public will not suffer thereby. No person shall by a special contract with an employee or by any other means exempt himself from this section or section one hundred and fifty. Whoever violates this section shall be punished by a fine of not less than ten nor more than fifty dollars.

Approved February 28, 1921.

Section not to apply to certain employees, unless, etc.

Exemptions by department of public utilities.

No exemptions by special contract.

Penalty.

Chap. 52 AN ACT RELATIVE TO THE SEWERAGE SYSTEM OF THE TOWN OF DEDHAM.

Be it enacted, etc., as follows:

Assessment of estates benefited by sewerage system of town of Dedham.

SECTION 1. The board of sewer commissioners of the town of Dedham may determine the value of the benefit or advantage to every parcel of real estate in the town beyond the general advantage to all real estate therein from the construction hereafter of any sewer or extension of any existing sewer or from the doing of any other work authorized by the provisions of chapter two hundred and seventy of the acts of eighteen hundred and ninety-seven, and may assess on every such parcel a proportionate share of such part, not exceeding one half, as the board shall deem just, of the expenses in-

curred by the town for the improvements aforesaid, provided that no assessment on any parcel of real estate shall exceed the value of the special benefit to that parcel. Proviso.

SECTION 2. The town of Dedham may, however, at any town meeting held after the annual town meeting of nineteen hundred and twenty-one, vote that one half the estimated average cost of the completion or extension of the existing sewer system or systems in said town be thereafter assessed upon the estates benefited by said system or systems, and in such case the board of sewer commissioners of said town shall fix a uniform rate according to the frontage of estates upon any street or way in which a sewer is constructed or according to the area of estates within a specified distance from such street or way or according to both frontage and area, and shall make all assessments, thereafter levied, in accordance with such rate, provided that no assessment on any parcel of real estate shall exceed the value of the special benefit to that parcel. Uniform rate to be assessed upon certain estates, etc.

SECTION 3. The provisions of said chapter two hundred and seventy of the acts of eighteen hundred and ninety-seven, so far as they are applicable and not inconsistent herewith, shall apply to assessments made under section one or two of this act. Proviso.

SECTION 4. This act shall be submitted to the voters of the town of Dedham at its next annual town meeting and shall take effect upon its acceptance by a majority of the voters present and voting thereon. Certain provisions of law to apply to assessments, etc.

Approved February 28, 1921.

AN ACT REQUIRING MEDICAL AND SURGICAL CHESTS IN MECHANICAL ESTABLISHMENTS. Chap. 53

Be it enacted, etc., as follows:

Section one hundred and forty-one of chapter one hundred and forty-nine of the General Laws is hereby amended by striking out, in the first line, the word "or" and inserting in place thereof a comma, and by inserting after the word "shop", in the same line, the words: — or mechanical establishment, — by striking out, in the thirteenth line, the word "or", and inserting in place thereof a comma, and by inserting after the word "shop", in the same line, the words: — or mechanical establishment, — so as to read as follows: — To be submitted to voters, etc.

Section 141. Every person operating a factory, shop or mechanical establishment where machinery is used for any G. L. 149, § 141, amended.

Medical and surgical chests and other

accommodations for employees in mechanical establishments, etc.

manufacturing or other purpose except for elevators, or for heating or hoisting apparatus, shall keep and maintain, free of expense to the employees, such medical or surgical chest, or both, as shall be required by the department, containing plasters, bandages, absorbent cotton, gauze, and all other necessary medicines, instruments and appliances for the treatment of persons injured or taken ill upon the premises. Every such person employing one hundred or more persons shall, if so required by the department, provide accommodations satisfactory to it for the treatment of persons injured or taken ill upon the premises, and also suitable and sanitary facilities for heating or warming food to be consumed by those employees of the factory, shop or mechanical establishment who so desire. Every person carrying on a mercantile establishment where twenty or more women or children are employed shall in the manner aforesaid provide such medical and surgical chest as the department may require. Whoever violates any provision hereof shall be punished by a fine of not less than five nor more than five hundred dollars for every week during which such violation continues.

Penalty.

Approved February 28, 1921.

Chap. 54 AN ACT INCREASING THE AMOUNT THAT MAY BE EXPENDED BY THE CITY OF BOSTON TO OBTAIN INFORMATION ON MUNICIPAL AFFAIRS.

Be it enacted, etc., as follows:

1914, 274, § 2, amended.

Expenditures by city of Boston for representation at congresses, etc., held to consider municipal affairs.

SECTION 1. Section two of chapter two hundred and seventy-four of the acts of nineteen hundred and fourteen is hereby amended by striking out, in the fifth line, the words "twenty-five hundred", and inserting in place thereof the words: — five thousand, — so as to read as follows: — *Section 2.* The mayor and city council of the city of Boston are hereby authorized to appropriate annually, under the provisions of section three of chapter four hundred and eighty-six of the acts of the year nineteen hundred and nine, an amount not exceeding five thousand dollars to defray the travelling and other necessary expenses incurred under the provisions of section one of this act. An itemized account of such expenses shall be filed with the city auditor.

SECTION 2. This act shall take effect upon its acceptance by the city council of the said city, subject to the provisions of its charter, provided that such acceptance occurs prior to December thirty-first in the current year.

Approved February 28, 1921.

To be submitted to city council, etc.
Proviso.

AN ACT RELATIVE TO THE BETTER PROTECTION OF BIRDS *Chap. 55*
WITHIN RESERVATIONS.

Be it enacted, etc., as follows:

Section seventy-two of chapter one hundred and thirty-one of the General Laws is hereby amended by inserting after the word "territory", the first time it occurs in the fifth line, the words: — or any other responsible person, — so as to read as follows: — *Section 72.* The director may appoint wardens or deputies to enforce sections sixty-nine to seventy-five, inclusive, and any rules and regulations made thereunder, and may authorize in writing any such warden or deputy or the owner or occupant of any land within any such territory or any other responsible person to hunt, pursue, trap, snare or kill within the said territory and under the direction of the director any quadrupeds or birds which he may consider harmful to birds and game or to agriculture, or to take or remove the nests or eggs of any such birds.

G. L. 131, § 72,
amended.

Authorization
for hunting and
killing harmful
birds, etc.,
within reserva-
tions, etc.

Approved February 28, 1921.

AN ACT RELATIVE TO PROBATE PROCEEDINGS IN CASES *Chap. 56*
WHERE HUSBAND AND WIFE ARE LIVING APART.

Be it enacted, etc., as follows:

Chapter two hundred and nine of the General Laws is hereby amended by striking out section thirty-two and inserting in place thereof the following: — *Section 32.* If a husband fails, without justifiable cause, to provide suitable support for his wife, or deserts her, or if the wife, for justifiable cause, is actually living apart from her husband, or if the husband is deserted by the wife, or is actually living apart from his wife for justifiable cause, the probate court may, upon his or her petition, or if he or she is insane, upon the petition of the guardian or next friend, prohibit the husband or wife from imposing any restraint on the personal liberty of the other during such time as the court shall by its order direct or until the further order of the court thereon; and, upon the application of the husband or wife or of the guardian of either, the court may make further orders relative to the support of the wife and the care, custody and maintenance of their minor children, may determine with which of their parents the children or any of them shall remain and may, from time to time, upon a similar application, revise and

G. L. 209, § 32,
amended.

Orders by probate court
relative to personal
liberty, support of wife,
etc., in cases
where husband
and wife are
living apart.

alter such order or make a new order or decree, as the circumstances of the parents or the benefit of the children may require.

Approved February 28, 1921.

Chap. 57 AN ACT AUTHORIZING THE CITY OF HOLYOKE TO PAY A SUM OF MONEY TO THE GUARDIAN OF THE CHILDREN OF MICHAEL FAHEY.

Be it enacted, etc., as follows:

City of Holyoke may pay a sum of money to guardian of children of Michael Fahey.

SECTION 1. The city of Holyoke may pay to the legal guardian of the children of Michael Fahey, who died in the performance of his duties as a janitor in the Holyoke public schools, a sum equal to the yearly compensation received by the said Fahey at the time of his death. The said sum shall be used for the maintenance and education of said children.

To be submitted to city council, etc.
Proviso.

SECTION 2. This act shall take effect upon its acceptance by the city council of said city, subject to the provisions of its charter, provided such acceptance occurs prior to December thirty-first in the current year.

Approved February 28, 1921.

Chap. 58 AN ACT RELATIVE TO THE TAKING OF EELS IN HINGHAM HARBOR, WEYMOUTH BACK RIVER, HULL BAY AND ADJACENT WATERS.

Be it enacted, etc., as follows:

1914, 309, etc., new section after § 2.

Chapter three hundred and nine of the acts of nineteen hundred and fourteen, as amended by chapter twenty-seven of the General Acts of nineteen hundred and sixteen, is hereby further amended by adding thereto the following new section:— *Section 3.* The provisions of section one shall be construed to permit the taking of eels as provided in section eighty-four of chapter one hundred and thirty of the General Laws.

Approved February 28, 1921.

Law regulating taking of fish in Hingham harbor, Weymouth Back river, Hull bay and adjacent waters, how construed.

Chap. 59 AN ACT AUTHORIZING A FEE FOR LODGING HOUSE LICENSES.

Be it enacted, etc., as follows:

G. L. 140, § 23, amended.

Chapter one hundred and forty of the General Laws is hereby amended by striking out section twenty-three and inserting in place thereof the following:— *Section 23.* Licensing authorities may grant licenses for lodging houses

Lodging house licenses, fees for, etc.,

which shall be for the period provided in section four, and shall charge for each license such fee, not exceeding two dollars, as the city council or selectmen may establish, otherwise the same shall be granted without charge. Said authorities shall enforce sections twenty-four to thirty-one, inclusive, and shall prosecute all violations thereof.

Approved February 28, 1921.

AN ACT RELATIVE TO THE CONSTRUCTION, ALTERATION AND MAINTENANCE OF BUILDINGS IN THE CITY OF BOSTON.

Chap. 60

Be it enacted, etc., as follows:

SECTION 1. Section ten of chapter five hundred and fifty of the acts of nineteen hundred and seven, as amended by section two of chapter three hundred and fifty-two of the Special Acts of nineteen hundred and fifteen, is hereby further amended by inserting before the word "bridges", in the second line, the words: — public highway and railway, — so as to read as follows: — *Section 10.* The provisions of this act shall not apply to public highway and railway bridges, quays, or wharves, nor to buildings on land ceded to the United States or owned and occupied by the commonwealth, nor to the Suffolk county court house, jail, or house of correction, nor to railroad stations, nor to portable or permanent school buildings erected and maintained by the schoolhouse department, except as provided in section seventeen of this act and amendments thereof or additions thereto, nor to voting booths erected and maintained by the board of election commissioners; and also provided that permits from the building commissioner for the erection of school buildings shall be required and that such buildings shall be subject to the inspection of the building department.

1907, 550, § 10, etc., amended.

Building laws of city of Boston not to apply to certain structures.

Proviso.

Except as otherwise provided by law, the provisions of this act shall not be held to deprive the board of health, the police commissioner, the board of street commissioners, the board of park commissioners, the board of examiners of gas fitters, the commissioner of wires, or the fire commissioner of the city of Boston of any power or authority which they have at the date of the passage of this act, or of the remedies for the enforcement of the orders of said boards or officers; unless such powers, authorities, or remedies are inconsistent with the provisions of this act; nor to repeal any existing law, not herein expressly repealed, except so far as it may be inconsistent with the provisions of this act.

Powers of certain boards and commissions not to be abridged.

1907, 550, § 32,
etc., amended.

SECTION 2. Section thirty-two of said chapter five hundred and fifty, as amended by section five of chapter seven hundred and eighty-two of the acts of nineteen hundred and fourteen, and by section thirteen of chapter one hundred and seventy-nine of the Special Acts of nineteen hundred and eighteen, is hereby further amended by striking out, in the second line of subparagraph (f) the words "roof loads (without roof gardens)", so that said paragraph will read as follows:— (f) Metal, other than columns, carrying no other loads than ceilings, or suspended balconies not over eight feet wide. When a suspended ceiling is used it shall be of metal lath and plaster with all hanging rods, ties, stiffening, and the like, of metal.

Requirements
as to fire protec-
tion not to apply
to certain metal.

1907, 550, § 77,
amended.

SECTION 3. Section seventy-seven of said chapter five hundred and fifty is hereby amended by striking out, in the fifth and sixth lines, the words "and of a size to provide seats for more than five hundred spectators", so as to read as follows:— *Section 77.* Every building hereafter erected so as to contain an audience hall and a stage, with curtain, movable or shifting scenery, and machinery, adapted for the giving of plays, operas, spectacles or similar forms of entertainment, shall be a theatre within the meaning of this act. No existing building not now used as a theatre shall be altered and used as a theatre, unless it conforms to the provisions of this act for a new theatre.

Theatre, term
defined.

1907, 550, § 78,
amended.

SECTION 4. Section seventy-eight of said chapter five hundred and fifty is hereby amended by striking out, in the second and third lines, the words "fireproof construction throughout, except that the floor boards may be of wood", and inserting in place thereof the words:— first class construction, — so as to read as follows:— *Section 78.* Every theatre hereafter built shall be of first class construction, and the steel work of the stage, of the fly galleries, and of the rigging loft need not be fireproofed.

Construction of
theatres.

1907, 550, § 83,
amended.

SECTION 5. Section eighty-three of said chapter five hundred and fifty is hereby amended by inserting after the word "stage", in the eighth line, the words:— , and plumbing, ventilating and such other pipe openings as may be approved by the building commissioner, such openings to be firestopped, — so as to read as follows:— *Section 83.* The stage of every theatre shall be separated from the auditorium by a wall of fireproof construction, which wall shall extend the whole width of the auditorium and the whole height to the roof of the portion occupied by the stage. There shall be no open-

Fireproof wall
to separate
stage from
auditorium in
theatres.
No openings in
wall, except,
etc.

ings through this wall except the curtain opening, one doorway each side behind the boxes, and one doorway which shall be located at or below the level of the stage, and plumbing, ventilating and such other pipe openings as may be approved by the building commissioner, such openings to be firestopped. The doorways shall not exceed twenty-one superficial feet each, and shall have standard fire-doors hung in a manner satisfactory to the commissioner. The finish or decorative features around the curtain opening of every theatre shall be of fireproof material.

SECTION 6. Section eighty-seven of said chapter five hundred and fifty is hereby amended by striking out, in the fourth, fifth and sixth lines, the words "No seat in the auditorium shall have more than six seats intervening between it and an aisle, on either side", and inserting in place thereof the words: — No rows of seats in the auditorium shall contain more than fourteen seats between aisles and where there is but one aisle no row shall contain more than seven seats, — so as to read as follows: — *Section 87.* All seats in the auditorium excepting those contained in boxes shall be spaced not less than thirty inches from back to back, measured in a horizontal direction, and shall be firmly secured to the floor. No row of seats in the auditorium shall contain more than fourteen seats between aisles and where there is but one aisle no row shall contain more than seven seats.

1907, 550, § 87,
amended.

Seats in audi-
torium of
theatres.

The platforms for seats in balconies and galleries shall nowhere have a greater rise than twenty-one inches, nor be less than thirty inches from back to back.

Platforms for
seats in bal-
conies, etc.

SECTION 7. Section eighty-nine of said chapter five hundred and fifty is hereby amended by inserting after the word "rising", in the fourth line, the words: — or declining, — by inserting after the word "inclines", in the same line, the words: — or declines, — and by inserting after the word "rising", in the sixth line, the words: — or declining, — so as to read as follows: — *Section 89.* All changes in the levels of the floors of such buildings, except under stairways, from story to story, and except the necessary steps in galleries and balconies rising or declining toward the exits, shall be made by inclines or declines of no steeper gradient than two in ten within the auditorium, and rising or declining toward the exits, and one in ten for all others.

1907, 550, § 89,
amended.

Changes in
levels of floors
in theatres.

SECTION 8. Section ninety-eight of said chapter five hundred and fifty is hereby amended by striking out, in the thirteenth and fourteenth lines, the words "If counter-

1907, 550, § 98,
amended.

Emergency
exits in
theatres.

Stairways
from exterior
balconies.

Proviso.

1907, 550, § 99,
amended.

Exits in
theatres,
greater num-
ber, etc., may
be required.

Exits and fire-
escapes to be
plainly
marked, etc.

Plans of exits
to be printed
on programmes
or shown by

weighted, these stairs shall be lowered during all performances", so as to read as follows: — *Section 98.* In addition to the exits previously described there shall be one exit from each side of each gallery, balcony, and main floor of auditorium, at least five feet wide, leading to exterior balconies not less than four feet wide and twenty feet long on each side of the auditorium. From such balconies there shall be staircases extending to the ground level, which may be counterweighted, with risers of not over eight and one half inches and treads of not less than nine and one half inches, exclusive of nosing. The aggregate width of these emergency stairs shall be not less than ten inches for every one hundred people served thereby, no single stairs being less than thirty inches wide.

Where all such stairs are in an interior court, each run shall be covered by a light awning of iron.

Nothing herein shall prohibit the building of emergency stairs and exits inside the walls of the building, provided that they are surrounded by a fireproof partition not less than four inches thick separating the exits and stairways from the audience room or auditorium.

SECTION 9. Section ninety-nine of said chapter five hundred and fifty is hereby amended by adding at the end of the third paragraph, the words: — or shall be shown by stereopticon upon a moving picture screen at least once during the afternoon and evening for a period of not less than two minutes, — so as to read as follows: — *Section 99.* The commissioner shall have power to require a greater number or capacity of exits than is herein prescribed.

In every theatre there shall be over every exit, on the inside, and over every opening to a fire-escape, on the inside, an illuminated sign, bearing the word "exit" or "fire-escape", respectively, in letters not less than four inches high. The lights for the exit signs, passages, stairs, lobbies, auditoriums, rear of auditoriums, balconies, galleries, and for the balconies and stairs outside the building, shall be so arranged that they can be turned on or off independently of the means provided on the stage or in any part of the building in the rear of the proscenium wall. Every exit sign shall be kept illuminated, and every outside balcony and fire-escape shall be kept well lighted during the performance, except outside exits during a performance before sunset.

Plans showing the exits and stairways shall be legibly printed so as to occupy a full page of every programme or

play-bill or shall be shown by stereopticon upon a moving picture screen at least once during the afternoon and evening for a period of not less than two minutes.

stereopticon,
etc.

In said buildings there shall be such number of gas pipe outlets as the commissioner may require, fitted with no less than two gas burners. Such burners shall be inspected and tried at least once in every three months by inspectors of the department, to ascertain if they are in proper working order. The inspector shall make a report of each visit, stating the condition of the burners and the action of the inspector in regard to them.

Gas pipe out-
lets with gas
burners,
number, in-
spection, etc.

The commissioner shall have authority to order any defect in the working of such burners as are necessary for public safety to be remedied.

Defects in gas
burners to be
remedied.

So much of this section as applies to the inspection of gas burners shall apply to buildings now used as theatres.

SECTION 10. Section one hundred and one of said chapter five hundred and fifty is hereby amended by inserting after the word "turn", in the seventh line, the words: — except stairways leading to private boxes, — so as to read as follows: — *Section 101.* Every landing shall be at least four feet wide. When straight stairs return directly on themselves, a landing of the full width of both flights, without any steps, shall be provided. The outer line of landings shall be curved to a radius of not less than two feet to avoid square angles. Stairs turning at an angle shall have a proper landing without winders introduced at the turn except stairways leading to private boxes. No door shall open immediately upon a flight of stairs, but a landing at least two feet wider than the width of the door opening shall be provided between such stairs and such door. When two side flights connect with one main flight, no winders shall be introduced, and the width of the main flight shall be at least equal to the aggregate width of the side flights.

1907, 550, § 101,
amended.

Landings of
stairs in
theatres.

SECTION 11. Section one hundred and five of said chapter five hundred and fifty as amended by section one of chapter three hundred and seventy of the acts of nineteen hundred and twelve, and by chapter fifty of the acts of nineteen hundred and thirteen, is hereby further amended by inserting after the word "walls", in the fifth line of the fourth paragraph, the words: — or floors, — so that said paragraph will read as follows: — If several halls or assembly-rooms are provided in one building, their aggregate capacity shall be considered as determining whether or not the building

1907, 550, § 105,
etc., amended.

Buildings hav-
ing several
halls or assem-
bly-rooms,
when may be

of second class construction.

shall be of fireproof construction, unless the several halls are enclosed by or separated from each other by fireproof walls or floors, with fireproof doors in the same, in which case the building may be of second class construction.

Approved February 28, 1921.

Chap. 61 AN ACT TO PROVIDE FOR PRECINCT VOTING, REPRESENTATIVE TOWN MEETINGS, TOWN MEETING MEMBERS, A REFERENDUM AND AN ANNUAL MODERATOR IN THE TOWN OF WEYMOUTH.

Be it enacted, etc., as follows:

Precinct voting, representative town meetings, etc., in town of Weymouth.

SECTION 1. Upon the acceptance of this act by the town of Weymouth as hereinafter provided the selectmen of the town shall forthwith divide the territory thereof into not less than six nor more than twelve voting precincts, each of which shall be plainly designated. The precincts shall be so established as to consist of compact and contiguous territory. Their boundaries shall be reviewed and, if need be, wholly or partly revised, by the selectmen, in January, once in five years, or in January of any year when directed by a vote of the town meeting. The selectmen shall, within ten days after any establishment or revision of the precincts, file a report of their doings with the town clerk, the registrars of voters, and the assessors, with a map or maps or description of the precincts and the names and residences of the voters therein. The selectmen shall also cause to be posted in the town hall a map or maps or description of the precincts as established or revised from time to time, with the names and residences of the registered voters therein; and they shall also cause to be posted in at least three public places in each precinct a map or description of that precinct, with the names and residences of the voters therein. The division of the town into voting precincts and any revision of such precincts shall take effect upon the date of the filing of the report thereof by the selectmen with the town clerk. Whenever the precincts are established or revised, the town clerk shall forthwith give written notice thereof to the secretary of the commonwealth, stating the number and designation of the precincts. The provisions of the General Laws relating to precinct voting at elections, so far as the same are not inconsistent with this act, shall apply to all elections and primaries in the town upon the establishment of voting precincts as hereinbefore provided.

Selectmen to report doings, etc.

Division of town into voting precincts, date of taking effect, etc.

SECTION 2. The voters in every precinct established under this act, shall, at a special town election to be held on May second next ensuing after the acceptance of this act, and at the first ensuing annual town election following any precinct revision and conformably to the laws relative to elections not inconsistent with this act, elect by ballot as nearly as may be three per cent of the voters in the precinct, other than the officers designated in section three as town meeting members at large, such elected voters to be town meeting members of the town, one third of whom shall be elected for the term of one year, one third for the term of two years and one third for the term of three years from the day of the annual town meeting; and thereafter, except as otherwise provided herein, at each annual town election the voters of each precinct in the town shall, in like manner, elect as nearly as may be one per cent of their number to be town meeting members of the town for the term of three years, and shall at such election fill for the unexpired term or terms any vacancies then existing in the number of town meeting members in their respective precincts. Upon every revision of the precincts, or of any of them, the terms of office of all town meeting members from every such revised precinct shall cease upon the election of their successors, and at the first ensuing annual town election there shall be an entirely new election of town meeting members in every precinct so revised, as well as in any new precinct or precincts established. The town clerk shall, after every election of town meeting members, forthwith notify each member by mail of his election.

Town meeting members, election, etc.

New election of town meeting members, when, etc.

Notice of election.

SECTION 3. Any town meeting held under the provisions of this act, except as otherwise provided herein, shall, at and after the first election held under this act, be limited to the voters elected under section two together with the following, designated as town meeting members at large; namely, any member of the general court of the commonwealth from the town, the moderator, the town clerk, the selectmen, the town treasurer, the town counsel, the town collector of taxes, the town accountant, the chairman of the board of assessors, the chairman of the school committee, the chairman of the trustees of Tufts library, the chairman of the board of health, the chairman of the park commission, the chairman of the water commissioners, the tree warden, the chairman of the planning board, the chairman of the overseers of the poor, members of the appropriation committee and chairman of any board of town officers hereafter constituted by law or by

Town meetings limited to certain elected members and members at large.

Notice of
town meetings.

Quorum.

Notice of
adjourned
town meetings
to be posted,
etc.

Town meetings
to be public,
etc.

Resignations,
etc.

Nominations,
how made.

Warrant arti-
cles, how acted
upon, etc.

the acts of the town. The town clerk shall notify the town meeting members of the time and place at which town meetings are to be held, the notices to be sent by mail at least seven days before the meeting. The town meeting members, as aforesaid, shall be the judges of the election and qualification of their members. A majority of the town meeting members shall constitute a quorum for doing business; but a less number may organize temporarily and may adjourn from time to time. Notice of every adjourned town meeting shall be posted by the town clerk in ten or more public places in the town, and he shall notify by mail the members of the town meeting of the adjournment at least twenty-four hours before the time of the adjourned town meeting. The notices shall state briefly the business to be acted upon at the meeting, and shall include notice of any proposed reconsideration. All town meetings shall be public. The town meeting members as such shall receive no compensation. Subject to such conditions as may be determined from time to time by the members of the representative town meeting, any voter of the town who is not a town meeting member may speak, but he shall not vote. A town meeting member may resign by filing a written resignation with the town clerk, and his resignation shall take effect on the date of such filing. A town meeting member who removes from the town or from the precinct from which he was elected shall cease to be a town meeting member.

SECTION 4. Nomination of candidates for town meeting members to be elected under this act shall be made by nomination papers, which shall bear no political designation, and signed by not less than ten voters of the precinct in which the candidate resides, and filed with the town clerk at least ten days before the election. No nomination papers shall be valid in respect to any candidate whose written acceptance is not thereon or attached thereto.

SECTION 5. The articles in the warrant for every town meeting, so far as they relate to the election of town officers, and town meeting members, as hereinbefore provided, referenda, and all matters to be acted upon and determined by ballot, shall be so acted upon and determined by the voters of the town in their respective precincts. All other articles in the warrant for any town meeting shall be acted upon and determined exclusively by town meeting members at a meeting to be held at such time and place as shall be set forth by

the selectmen in the warrant for the meeting, subject to the referendum provided for by section eight.

SECTION 6. A moderator shall be elected by ballot at the first election for the choice of town meeting members and at each annual town election thereafter by the voters and shall serve as moderator of all town meetings, except as otherwise provided by law, until his successor is elected and qualified. If a moderator is absent, a moderator pro tempore may be elected by the town meeting members.

Moderator,
election, etc.

SECTION 7. Any vacancy in the full number of town meeting members from any precinct may be filled until the next annual election by the remaining members of the precinct from among the voters thereof. Upon petition therefor, signed by not less than ten town meeting members from the precinct, notices of the vacancy shall be promptly given by the town clerk to the remaining members from the precinct in which the vacancy or vacancies exist, and he shall call a special meeting of such members for the purpose of filling any vacancy. He shall cause to be mailed to each of such members, not less than four days before the time set for the meeting, a notice specifying the object and the time and place of the meeting. At the said meeting a majority of the members shall constitute a quorum, and they shall elect from their own number a chairman and a clerk. The choice to fill any vacancy shall be by ballot, and a majority of the votes cast shall be required for a choice. The chairman and clerk shall make a certificate of the choice and forthwith file the same with the town clerk, together with a written acceptance by the member or members so chosen, who shall thereupon be deemed elected and qualified a town meeting member or members, subject to the right of all the town meeting members to judge of the election and qualification of members as set forth in section three.

Vacancies, how
filled, etc.

Notice of
meeting, etc.

Choice to be
by ballot, etc.

SECTION 8. No measure passed at any representative town meeting, except a vote to adjourn or a measure appropriating or borrowing money for emergency purposes which shall contain a preamble specifying the facts constituting the emergency and requiring for its passage a separate vote of two thirds of the town meeting members present and voting thereon, shall become operative until after the expiration of five days, exclusive of Sundays and holidays, from the dissolution of the meeting. If, within said five days a petition, signed by not less than one hundred voters of the town, con-

Measures
passed, when
to become
operative.

Referendum.

taining their names and addresses as appearing on the voting list is filed with the selectmen asking that the question or questions involved in such measure be submitted to the voters of the town at large, then the selectmen, after the expiration of five days, shall forthwith call a special meeting for the sole purpose of presenting to the voters at large the question or questions so involved. The polls shall be opened at two o'clock in the afternoon and shall be closed not earlier than eight o'clock in the evening and all votes upon any questions submitted shall be taken by ballot, and a check list shall be used in the several precincts in the same manner as in the election of town officers. The questions submitted at the said town meeting shall be determined by vote of a majority of the voters at large voting thereon. The questions so submitted shall be stated upon the ballot in the same language and form in which they were stated when presented to said representative town meeting by the moderator, and as they appear upon the records of said representative town meeting. If such petition be not filed within the said period of five days, the vote in the representative town meeting shall become operative and effective upon the expiration of said period.

Questions,
how stated
upon ballot,
etc.

Action binding
upon town.

SECTION 9. The town of Weymouth, after the acceptance of this act, shall have the capacity to act through and to be bound by its said town meeting members who shall, when convened from time to time as herein provided, constitute representative town meetings; and such representative town meetings shall exercise exclusively, so far as will conform to the provisions of this act, all powers vested in the municipal corporation. Action in conformity with all provisions of law now or hereafter applicable to the transaction of town affairs in town meetings shall, when taken by any representative town meeting in accordance with the provisions of this act, have the same force and effect as if such action had been taken in a town meeting, open to all the voters of the town as heretofore organized and conducted.

General meet-
ings may be
held, etc.

SECTION 10. This act shall not abridge the right of the people of Weymouth to hold general meetings; nor shall this act confer upon any representative town meeting in Weymouth the power finally to commit the town to any measure affecting its municipal existence or changing its government, without the action thereon by the voters of the town at large, using the ballot and check list therefor.

SECTION 11. The question of the acceptance of this act by the town of Weymouth shall be submitted to the registered voters of the town at the annual town election in the year nineteen hundred and twenty-one. The vote shall be taken by ballot, in accordance with the provisions of the General Laws so far as the same shall be applicable and not inconsistent herewith, in answer to the following question which shall be placed upon the official ballot used for the election of town officers:—“Shall an act passed by the general court in the year nineteen hundred and twenty-one, entitled ‘An Act to provide for precinct voting, representative town meetings, town meeting members, a referendum and an annual moderator in the town of Weymouth’, be accepted by this town?” and the affirmative votes of a majority of the registered voters of the town present and voting thereon shall be required for and shall determine its acceptance. So much of this act as authorizes its submission to the registered voters of the town shall take effect upon its passage; but this act shall not take further effect unless and until accepted by the town as herein provided.

To be submitted to voters, etc.

Approved February 28, 1921.

AN ACT AUTHORIZING THE CITY OF WORCESTER TO LAY AND MAINTAIN PIPES AND FURNISH WATER TO SAINT VINCENT HOSPITAL IN THE TOWN OF MILLBURY.

Chap. 62

Be it enacted, etc., as follows:

SECTION 1. The city of Worcester may lay and maintain pipes in the highway of the town of Millbury from the Worcester city line to the Saint Vincent Hospital buildings in said town, for the purpose of furnishing water for said buildings, and may, subject to the approval of the selectmen of said town, make excavations in said highway for the purpose of laying, maintaining and renewing such pipes. Said city may furnish water to said hospital as aforesaid, upon its paying to said city such sum as the city council, with the approval of the mayor, may fix.

City of Worcester may lay and maintain pipes and furnish water to Saint Vincent Hospital in town of Millbury.

SECTION 2. This act shall take effect upon its acceptance by the city council of said city, subject to the provisions of its charter.

To be submitted to city council, etc.

Approved February 28, 1921.

Chap. 63 AN ACT AUTHORIZING THE CITY OF NORTHAMPTON TO
ESTABLISH A BOARD OF PUBLIC WORKS.

Be it enacted, etc., as follows:

City of North-
hampton to
establish a
board of
public works.

SECTION 1. The city of Northampton shall, within thirty days after the acceptance of this act by the city council, establish a board of public works in accordance with the provisions of this act.

Membership,
appointment,
etc.

SECTION 2. The board of public works shall consist of three persons, legal voters of said city, who shall be appointed as follows: — The mayor shall appoint, subject to the confirmation of the board of aldermen, one person for one year, one for two years and one for three years, the terms of office dating from the first Monday in March, nineteen hundred and twenty-one, and thereafter in the month of February of each year, one person for the term of three years from the first Monday of March then next ensuing. A vacancy occurring may be filled at any time for the unexpired term by the mayor, subject to the confirmation of the board of aldermen. The members of said board of public works shall serve without compensation and no member thereof shall be eligible to election or appointment to any paid position within the gift of the board, during his term of office.

Vacancies, how
filled.

Members to
serve without
compensation,
etc.

Powers,
duties, etc.

SECTION 3. The powers of the board of public works shall be administrative. It shall have cognizance, direction and control; (a) of the construction, location, relocation, repair and care of streets, ways and sidewalks, and the sprinkling of streets; (b) the construction, alteration and repair and maintenance of public bridges; (c) the care, superintendence and management of the public grounds belonging to the city and of shade and ornamental trees growing in and along city highways; provided that this act shall not affect the management of any public park belonging to the city unless after the date this act takes effect the management thereof is specifically transferred to the board of public works by vote of the city council. Except as otherwise provided herein, the said board shall perform all the duties heretofore performed by the city council committee on highways, street sprinkling and sidewalks, and such other duties as the city council shall from time to time by ordinance or otherwise prescribe.

Proviso.

SECTION 4. The board may require that no person or corporation authorized by the board of aldermen to dig up any public street or sidewalk in said city shall begin such digging before furnishing to said board of public works security satisfactory to them that such streets or sidewalks shall be restored to their former condition. The said board of public works shall, except as otherwise provided by law, have exclusively the powers of, and be subject to the liabilities imposed by law upon, road commissioners of towns.

Powers.

SECTION 5. The board of public works shall have exclusive authority to determine and assess all betterment assessments for street and sidewalk improvements authorized under chapter eighty or eighty-three of the General Laws. The board of public works and the board of aldermen, sitting jointly, shall constitute the board of survey provided for by section seventy-three of chapter forty-one of the General Laws, and sections seventy-three to eighty-one, inclusive, of said chapter shall, so far as applicable, apply in said city.

To assess betterment assessments, etc.

Board of survey.

SECTION 6. The board of public works shall annually in the month of March appoint a competent civil engineer, who shall be styled the city engineer, and who shall perform such duties as may be required of him by said board. He shall hold office during the pleasure of the board, and the said board shall fix his compensation. Said board may appoint a superintendent of streets and such subordinate officers as may be necessary and establish their terms of office. The salaries of the superintendent of streets and the subordinate officers shall be fixed by said board. Said board shall have authority to employ and discharge such mechanics, laborers and other employees as may be necessary for the conduct of the public work and shall have exclusive power to fix the wages of said mechanics, laborers and other employees.

Civil engineer, appointment, term, duties, etc.

Superintendent of streets, etc., appointment, salaries, etc.

Mechanics, laborers, etc., employment, wages, etc.

SECTION 7. The board of public works shall keep proper books and records and shall make an annual report to the city council for each year ending November thirtieth. The said board shall include in its report such detailed statements of receipts and expenditures and work performed as the city council may require or the interests of the citizens may seem to demand. The said annual report shall also contain a schedule of all city property coming under the care of the said board. Unexpended balances of appropriations once appropriated for the use of said board shall not be transferred

To keep books and records and make annual report.

Unexpended balances of appropriations.

to the contingent account or to other accounts without the consent in writing of said board.

Inconsistent
acts repealed.

Proviso.

SECTION 8. All acts and parts of acts inconsistent herewith are hereby repealed, in so far as they relate to the city of Northampton; provided, that this act shall not affect the powers and duties heretofore granted to or imposed upon the board of sewer commissioners of said city.

Existing con-
tracts not to
be affected.

SECTION 9. This act shall not affect any existing contract between the city of Northampton and any person or corporation.

To be sub-
mitted to city
council, etc.

SECTION 10. This act shall not take effect until accepted by the city council of said city of Northampton. Upon such acceptance, so much thereof as provides for the appointment and confirmation of the members of the new board of public works shall take effect, and all other provisions thereof shall take effect upon such appointment and confirmation.

Approved March 1, 1921.

Chap. 64 AN ACT RELATIVE TO THE APPOINTMENT OF PUBLIC ADMINISTRATORS TO ADMINISTER TESTATE ESTATES.

Be it enacted, etc., as follows:

G. L. 193, § 7,
amended.

Section seven of chapter one hundred and ninety-three of the General Laws is hereby amended by inserting after the word "heirs", in the nineteenth line, the words: — or legatees or devisees under the will, — so as to read as follows: —

Administra-
tion with the
will annexed.

Section 7. If no executor is named in a will, or if all the executors therein named are dead or incompetent or refuse to accept the trust, or if, after being duly cited therefor, the executor neglects to accept the trust, or if he neglects for thirty days after the probate of the will to give bond according to law, the court shall commit administration of the estate, with the will annexed, to any person interested in the will of said deceased, to any creditor of the deceased or to any suitable person; but after the expiration of said thirty days, and before letters of administration with the will annexed have been granted, the court may grant letters testamentary to any person named as executor who gives the bond required by law. If a person named as executor in a will petitions for the probate of the same and dies, declines or becomes unable to act before final decree is entered on said petition, any person interested in the will of said deceased, or any creditor of the deceased, or any suitable person, may, on petition, be allowed to enter and to prose-

cute the original petition for probate, to apply for letters of administration with the will annexed, and to act and proceed in any proposed compromise under sections fifteen and sixteen of chapter two hundred and four. If it appears that there are no known heirs or legatees or devisees under the will of the deceased, a public administrator of the county shall be appointed to the trust.

Public administrators, when to be appointed.

Approved March 1, 1921.

AN ACT ENABLING WOMEN TO SIGN NOMINATION PAPERS FOR CANDIDATES AND TO BE CANDIDATES FOR OFFICE IN THE CITY OF BOSTON. Chap. 65

Be it enacted, etc., as follows:

SECTION 1. Section fifty-five of chapter four hundred and eighty-six of the acts of nineteen hundred and nine is hereby amended by striking out, in the first and second lines, the words "for a member of the school committee", and by striking out, in the third line, the word "that", so as to read as follows: — *Section 55.* Women who are qualified to vote may be nominated as and sign nomination papers for candidates for office in the manner and under the same provisions of law as men.

1909, 486, § 55, amended.

Women may sign nomination papers for candidates and be candidates for office in city of Boston.

SECTION 2. This act shall take effect upon its passage.

Approved March 1, 1921.

AN ACT AUTHORIZING THE CITY OF FALL RIVER TO BORROW MONEY FOR SCHOOL PURPOSES. Chap. 66

Be it enacted, etc., as follows:

SECTION 1. For the purpose of purchasing or otherwise acquiring land, and for the purpose of constructing school buildings and providing for the original equipment and furnishing of said buildings, the city of Fall River may from time to time borrow such sums not exceeding, in the aggregate, one million five hundred thousand dollars and may issue notes or bonds therefor which shall bear on their face the words, Fall River School Loan, Act of 1921. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit but shall otherwise be subject to the provisions of chapter twenty-four of the General Laws.

City of Fall River may borrow money for school purposes.

Fall River School Loan, Act of 1921.

SECTION 2. This act shall take effect upon its passage.

Approved March 1, 1921.

Chap. 67 AN ACT AUTHORIZING THE CITY OF WOBURN TO ISSUE
ADDITIONAL WATER BONDS.

Be it enacted, etc., as follows:

City of Woburn
may issue
additional
water bonds.

SECTION 1. For the purpose of reconstructing, relaying, and replacing conduits and pipes in its present water system, the city of Woburn may, from time to time, borrow such sums as may be necessary not exceeding, in the aggregate, two hundred thousand dollars in addition to the amount previously authorized to be issued, and may issue bonds or notes therefor which shall bear on their face the words, Woburn Water Loan, Act of 1921. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than twenty years. Indebtedness incurred under this act shall be in excess of the statutory limitation, but shall otherwise be subject to the provisions of chapter forty-four of the General Laws.

Woburn Water
Loan, Act of
1921.

Income from
water works,
how to be
applied.

SECTION 2. All income from the water works in the city of Woburn shall be applied to defraying operating expenses, interest charges, and payments upon the principal as they accrue upon bonds or notes issued under the authority of this act or of any other act authorizing the issue of bonds or notes for water purposes, and in case the income should be insufficient to meet such charges, the assessors shall assess a sum sufficient to meet debt and interest charges not provided for in the same manner as taxes are assessed for other purposes. If there should be a net surplus remaining in the water revenue after providing for the aforesaid charges, it shall be used for such new construction or the reconstruction of such parts of the distribution system as may be determined upon, and in case a surplus should remain after payment for such new construction and reconstruction, the water rates shall be reduced proportionately.

SECTION 3. This act shall take effect upon its passage.

Approved March 1, 1921.

Chap. 68 AN ACT AUTHORIZING THE TOWN OF WINCHESTER TO
ESTABLISH A BOARD OF APPEAL IN MATTERS OF BUILDING
CONSTRUCTION.

Be it enacted, etc., as follows:

Town of Win-
chester may
establish a
board of

SECTION 1. The town of Winchester may by by-law provide for the election or appointment of a board of appeal, to

consist of not less than three residents of the town who shall hear and act upon appeals from orders and decisions of, and refusals of permits by, its building commissioner and inspectors, acting under present or future by-laws for the regulation of building, plumbing, wiring or gas fitting. Said town may likewise provide that such board may, by unanimous decision, authorize construction, installation, alteration, repair and removal not authorized by such by-laws in specific cases which appear to such board not to have been contemplated by the same although covered thereby, or in cases where manifest injustice would result from the enforcement thereof, if such decision does not conflict with the spirit of any provision of such by-laws. The said town may make other provisions not inconsistent with law defining the powers, duties and authority of said board and the qualifications and tenure of office of its members.

appeal in matters of building construction.

SECTION 2. This act shall take effect upon its passage.

Approved March 1, 1921.

AN ACT AUTHORIZING THE CITY OF WOBURN TO BORROW Chap. 69
MONEY FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of acquiring land for and the construction of a school building and for the purpose of originally equipping and furnishing said building, the city of Woburn may, from time to time, borrow such sums as may be necessary not exceeding, in the aggregate, one hundred and twenty-five thousand dollars and may issue bonds or notes therefor which shall bear on their face the words, Woburn School Loan, Act of 1921. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall otherwise be subject to the provisions of chapter forty-four of the General Laws.

City of Woburn may borrow money for school purposes.

Woburn School Loan, Act of 1921.

SECTION 2. This act shall take effect upon its passage.

Approved March 1, 1921.

AN ACT TO AUTHORIZE THE SALE OF CERTAIN LAND HELD Chap. 70
BY THE CITY OF BROCKTON FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The city of Brockton may, by a majority vote of its city council, approved by the mayor, sell and

City of Brockton may sell certain

land now held
by it for
school pur-
poses.

Walnut street
school lot.

convey, upon such terms and conditions as it may deem expedient, the following described parcels of land, or any part thereof, situated in said city, now held by it for school purposes; — A certain parcel of land known as the Walnut street school lot, containing about twenty-eight thousand four hundred and forty-six square feet, situated on the easterly side of Walnut street, and bounded and described as follows: — Beginning at a point in the easterly line of Walnut street at the northwest corner of land of Peter Varros, which point is located one hundred nineteen and six tenths feet north of the northerly line of Spring street; thence easterly by land of said Varros fifty-nine and one tenth feet to land of the Greek Orthodox Community of Brockton, Inc.; thence northerly by land of said community about eleven and nine tenths feet to a corner; thence easterly by land of said community and Sarah E. Brown about one hundred seventeen and five tenths feet to land of Grace A. Sexton et al; thence northerly by land of said Sexton et al and land of Helen W. Hamilton about one hundred forty-one and nine tenths feet to land of Ashton Hamilton; thence westerly by lands of said Hamilton and Peter Varros about one hundred ninety-one and four tenths feet to the easterly line of Walnut street; thence southerly by the easterly line of said Walnut street one hundred seventy-one feet to point of beginning.

Ashland
street school
lot.

Also another parcel of land known as the Ashland street school lot, containing about fourteen thousand two hundred ninety-four square feet, situated at the northwest corner of East Ashland and Mulberry streets, bounded and described as follows: — Beginning at a point in the northerly line of East Ashland street, at its intersection with the westerly line of Mulberry street; thence northerly by the westerly line of Mulberry street one hundred forty-seven and nine tenths feet to the southeast corner of land of the Standard Oil Company of New York; thence westerly by land of said company about ninety-seven and thirty-five one hundredths feet to a corner; thence southerly by land of said company and James G. Wilde and George Clarence Holmes about one hundred forty-eight and two tenths feet to the northerly line of East Ashland street; thence easterly by the northerly line of East Ashland street about ninety-eight and thirty-eight hundredths feet to the point of beginning. The price to be paid for said land or any part thereof shall be fixed by the city council, with the approval of the mayor, and the money received therefor shall be appropriated and expended

for the constructing of new school buildings or additions to existing school buildings in the said city. The mayor may execute and deliver on behalf of the city of Brockton such instruments as may be necessary to convey a proper title to said land to the purchasers.

SECTION 2. This act shall take effect upon its passage.

Approved March 1, 1921.

AN ACT AUTHORIZING THE CITY OF REVERE TO PENSION *Chap. 71*
ELBRIDGE G. PAINE.

Be it enacted, etc., as follows:

SECTION 1. The city of Revere may retire Elbridge G. Paine, the present janitor of the Shurtleff school in said city, on an annual pension equal to one half his present annual compensation.

City of Revere
may pension
Elbridge G.
Paine.

SECTION 2. This act shall take effect upon its acceptance by the city council of said city, subject to the provisions of its charter, provided that such acceptance occurs prior to December thirty-first in the current year.

To be submitted
to city council,
etc.
Proviso.

Approved March 1, 1921.

AN ACT AUTHORIZING THE CITY OF LYNN TO PENSION *Chap. 72*
CHARLES F. WAITT.

Be it enacted, etc., as follows:

SECTION 1. The city of Lynn may pay annually to Charles F. Waitt, for thirty years an engineer in its street department, a sum not exceeding one half the compensation received by him during the last year of his service.

City of Lynn
may pension
Charles F.
Waitt.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter, provided that such acceptance occurs prior to December thirty-first in the current year.

To be sub-
mitted to city
council, etc.
Proviso.

Approved March 1, 1921.

AN ACT AUTHORIZING THE CITY OF LYNN TO PENSION *Chap. 73*
CLAVIC BARCELO.

Be it enacted, etc., as follows:

SECTION 1. The city of Lynn may retire Clavic Barcelo, who has been for twenty-one years in the employ of its health department as a laborer and has reached the age of seventy-five years, on an annual pension equal to one half the annual compensation paid him at the time of his retirement.

City of Lynn
may pension
Clavic Barcelo.

To be sub-
mitted to city
council, etc.

Proviso.

SECTION 2. This act shall take effect upon its acceptance by the city council of the said city, subject to the provisions of its charter, provided that such acceptance occurs prior to December thirty-first in the current year.

Approved March 1, 1921.

Chap. 74 AN ACT AUTHORIZING THE CITY OF NEWTON TO PENSION
HERBERT W. HALL.

Be it enacted, etc., as follows:

City of Newton
may pension
Herbert W.
Hall.

SECTION 1. The city of Newton may pay to Herbert W. Hall, formerly a call member of its fire department, an annual pension not exceeding seven hundred dollars.

To be sub-
mitted to city
council, etc.

Proviso.

SECTION 2. This act shall take effect upon its acceptance by the city council of said city, subject to the provisions of its charter, provided that such acceptance occurs prior to December thirty-first in the current year.

Approved March 1, 1921.

Chap. 75 AN ACT RELATIVE TO THE PROTECTION OF WILD OR UN-
DOMESTICATED BIRDS.

Be it enacted, etc., as follows:

G. L. 131, § 19,
amended.

Section nineteen of chapter one hundred and thirty-one of the General Laws is hereby amended by striking out, in the seventh and eighth lines, the following: — “and fresh water or sea fowl not named in said sections”, and by striking out, in the twelfth line, the words “over twenty-one”, so as to read as follows: — *Section 19.* Whoever, except as provided in section thirty-three, thirty-four, thirty-seven, thirty-nine, forty-three, forty-four or seventy-two, takes or kills or has in his possession a wild or undomesticated bird except an English sparrow, crow blackbird, crow, jay, starling, the following named birds of prey, — sharp-shinned hawk, cooper’s hawk, goshawk, red-tailed hawk, red-shouldered hawk, duck hawk, pigeon hawk, barred owl, great horned owl and snowy owl, or wilfully destroys, disturbs or takes a nest or eggs of any wild or undomesticated bird, except such as are not protected by this section, shall be punished by a fine of ten dollars for each bird taken, killed or had in possession or for each nest or egg disturbed, destroyed or taken; but a person who has a certificate from the commissioner or from the president of the Boston Society of Natural History that he is engaged in the scientific study of ornithology or is collect-

Penalty for kill-
ing wild or un-
domesticated
birds.

Exemptions.

ing in the interests of a scientific institution, may at any season take or kill a wild or undomesticated bird, except woodcock, ruffed grouse and quail, or take the nests or eggs of such bird; but this section shall not authorize a person to enter upon private grounds without the consent of the owner thereof for the purpose of taking nests or eggs or killing birds. The commissioner or the president of said society may at any time revoke said certificate. The provisions of this section as to certificates shall not apply to the birds mentioned in sections twenty-one, twenty-three, twenty-four, twenty-six and twenty-seven.

Approved March 1, 1921.

AN ACT AUTHORIZING THE CITY OF BOSTON TO PAY A SUM OF MONEY TO THE WIDOW OF JOHN F. CULLEN. *Chap. 76*

Be it enacted, etc., as follows:

SECTION 1. The city of Boston may pay to Bridget M. Cullen, widow of John F. Cullen, late employee of the public works department, the sum of nine hundred and ninety dollars and fifty-three cents, the same being the sum which he would have received had he lived and served in said capacity for the remainder of the current year.

City of Boston may pay a sum of money to widow of John F. Cullen.

SECTION 2. This act shall take effect upon its acceptance by the city council of said city, subject to the provisions of its charter, provided that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to city council, etc. Proviso.

Approved March 2, 1921.

AN ACT AUTHORIZING THE CITY OF LYNN TO PENSION ANNA E. CHASE. *Chap. 77*

Be it enacted, etc., as follows:

SECTION 1. The city of Lynn may pay to Anna E. Chase, for twenty-two years in the employ of its health department as a matron at the Contagious Hospital, an annual pension, so long as she remains unmarried, not exceeding five hundred dollars.

City of Lynn may pension Anna E. Chase.

SECTION 2. This act shall take effect upon its acceptance by the city council of said city, subject to the provisions of its charter, provided that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to city council, etc. Proviso.

Approved March 2, 1921.

Chap. 78 AN ACT PROHIBITING THE USE BY CERTAIN PERSONS AND CORPORATIONS OF ANY FOREIGN EQUIVALENT OF THE WORDS "BANK" OR "TRUST" AND THE LIKE.

Be it enacted, etc., as follows:

G. L. 167, § 12,
amended.

Unauthorized
banking pro-
hibited.

SECTION 1. Section twelve of chapter one hundred and sixty-seven of the General Laws is hereby amended by inserting before the word "as", in the twenty-third and twenty-fifth lines, respectively, the words:—or any word in a foreign language having the same or similar meaning,—so as to read as follows:—*Section 12.* No corporation, domestic or foreign, and no person, partnership or association except savings banks and trust companies incorporated under the laws of this commonwealth, or such foreign banking corporations as were doing business in this commonwealth, and were subject to examination or supervision of the commissioner on June first, nineteen hundred and six, shall hereafter make use of any sign at the place where its business is transacted having thereon any name, or other words indicating that such place or office is the place or office of a savings bank; nor shall such corporation, person, partnership or association make use of or circulate any written or printed or partly written and partly printed paper whatever, having thereon any name or other words, indicating that such business is that of a savings bank; nor shall any such corporation, person, partnership or association, or any agent of a foreign corporation not having an established place of business in this commonwealth, solicit or receive deposits or transact business in the way or manner of a savings bank, or in such a way or manner as to lead the public to believe, or as in the opinion of the commissioner might lead the public to believe, that its business is that of a savings bank; nor shall any person, partnership, corporation or association except co-operative banks incorporated under the laws of this commonwealth and corporations described in the first sentence of this section hereafter transact business under any name or title which contains the word "bank" or "banking", or any word in a foreign language having the same or similar meaning, as descriptive of said business, or, if he or it does a banking business or makes a business of receiving money on deposit, under any name or title containing the word "trust", or any word in a foreign language having the same or similar meaning, as descriptive of said business.

Words "bank"
or "trust",
etc., or foreign
equivalent
thereof,
restrictions
upon use.

SECTION 2. Section thirteen of said chapter one hundred and sixty-seven is hereby amended by inserting after the word "trust", in the fifth line, the words:—, or any word in a foreign language having the same or similar meaning,—so as to read as follows:—*Section 13.* The commissioner or his examiners may examine the accounts, books and papers of any corporation, person, partnership or association making a business of receiving money on deposit, or which has the word "bank", "banking", "banker", "bankers", or "trust", or any word in a foreign language having the same or similar meaning, in the name under which its business is conducted, in order to ascertain whether such corporation, person, partnership or association has violated or is violating any provision of the preceding section; and any corporation, person, partnership or association refusing to allow such examination or violating any provision of said section shall forfeit to the commonwealth one hundred dollars a day for every day or part thereof during which such refusal or violation continues. Any violation of this or the preceding section shall forthwith be reported by the commissioner to the attorney-general. The said forfeiture may be recovered by an information or other appropriate proceeding brought in the supreme judicial or superior court in the name of the attorney-general. Upon such information or other proceeding the court may issue an injunction restraining such corporation, person, partnership or association from further prosecution of its business within the commonwealth during the pendency of such proceeding or for all time, and may make such other orders or decrees as equity and justice may require.

Approved March 2, 1921.

G. L. 167, § 13, amended.

Penalty for unauthorized banking and for refusal to submit to examination by commissioner of banks.

AN ACT AUTHORIZING SAVINGS BANKS TO ESTABLISH AND MAINTAIN SAFE DEPOSIT VAULTS AND TO RENT BOXES THEREIN.

Chap. 79

Be it enacted, etc., as follows:

Chapter one hundred and sixty-eight of the General Laws is hereby amended by inserting after section thirty-two the following new section:—*Section 32A.* Savings banks may, with the written permission of, and under regulations approved by, the commissioner, establish and maintain safe deposit vaults and rent boxes therein. The provisions of section seventeen of chapter one hundred and fifty-eight shall apply to said banks.

Approved March 2, 1921.

G. L. 168, new section after § 32.

Savings banks may establish and maintain safe deposit vaults and rent boxes therein.

Chap. 80 AN ACT AUTHORIZING CITIES TO APPROPRIATE MONEY TO DEFRAID THE EXPENSES OF SUITABLE QUARTERS FOR POSTS OF THE GRAND ARMY OF THE REPUBLIC.

Be it enacted, etc., as follows:

G. L. 40, § 9,
amended.

Cities and towns may appropriate money to provide headquarters for posts of American Legion.

Section nine of chapter forty of the General Laws is hereby amended by inserting after the word "Republic", in the twenty-first line, the following: — including the heating and lighting of such quarters, — so as to read as follows: — *Section 9.* A city or town may for the purpose of providing a suitable headquarters for a post of the American Legion, lease for a period not exceeding five years a building or part of a building which shall be under the direction and control of such post, subject to regulations made in cities by the mayor with the approval of the council and in towns by vote of the town, and for this purpose a town with a valuation of less than five million dollars may annually appropriate not more than one thousand dollars; a town with a valuation of five million dollars but not more than twenty million dollars may annually appropriate not more than fifteen hundred dollars; a town with a valuation of twenty million dollars but not more than seventy-five million dollars may annually appropriate not more than two thousand dollars; a town with a valuation of seventy-five million dollars but not more than one hundred fifty million dollars may annually appropriate not more than twenty-five hundred dollars; and a town with a valuation of one hundred fifty million dollars or more may annually appropriate twenty-five hundred dollars for each one hundred fifty million dollars of valuation, or fraction thereof. The city council of a city may, by a two thirds vote, appropriate money for armories for the use of the state militia, for the celebration of holidays, for the purpose of providing or defraying the expenses of suitable quarters for posts of the Grand Army of the Republic, including the heating and lighting of such quarters, and for other like public purposes to an amount not exceeding in any one year one fiftieth of one per cent of its valuation for such year.

Approved March 2, 1921.

Cities may appropriate money for armories, etc., and to defray expenses of quarters for posts of Grand Army of the Republic.

AN ACT TO PROVIDE FOR A LARGER APPROPRIATION FOR THE FINANCE COMMISSION OF THE CITY OF BOSTON. Chap. 81

Be it enacted, etc., as follows:

Chapter four hundred and eighty-six of the acts of nineteen hundred and nine is hereby amended by striking out section twenty and inserting in place thereof the following: — *Section 20.* The said commission is authorized to employ such experts, counsel, and other assistants, and to incur such other expenses as it may deem necessary, and the same shall be paid by said city upon requisition by the commission, not exceeding in the aggregate in any year the sum of thirty-five thousand dollars, or such additional sums as may be appropriated for the purpose by the city council and approved by the mayor. A sum sufficient to cover the salary of the chairman of the commission and the further sum of at least thirty-five thousand dollars to meet the expenses as aforesaid each year shall be appropriated by said city. The commission shall have the same right to incur expenses in anticipation of its appropriation as if it were a regular department of said city.

1909, 486, § 20, amended.

Finance commission of city of Boston, appropriation, etc.

Approved March 2, 1921.

AN ACT TO ESTABLISH THE BOUNDARY LINE BETWEEN THE TOWNS OF CARVER AND MIDDLEBOROUGH. Chap. 82

Be it enacted, etc., as follows:

SECTION 1. The following described line shall hereafter be the boundary line between the towns of Middleborough and Carver: — Beginning at an irregular stone monument, marked C M P, standing about eighty feet west of a cart path, at the corner of Carver, Middleborough and Plympton; thence south thirty-seven degrees fifteen minutes east six thousand four hundred and forty-one feet to a rough, triangular, stone monument, unmarked, standing in thick bushes in the water, about eight hundred and fifty feet east of the house belonging to E. H. Marsh; thence south fourteen degrees sixteen minutes east fourteen thousand four hundred and nine feet to a light colored granite monument broken into three pieces, the stub remaining in the ground, marked C M, standing on the northeasterly side of a dyke running northwesterly through a bog formerly owned by John Bent; thence south seventy-six degrees nine minutes west two thousand six hundred and eleven feet to a dark

Boundary line between towns of Carver and Middleborough established.

Boundary line
between towns
of Carver and
Middleborough
established.

colored stone monument, marked C M, standing on the easterly wooded slope of an elevation about two hundred feet west of open meadow and about three hundred and twenty-five feet westerly from the junction of Rocky Meadow brook with a small stream; thence south twenty-one degrees thirty-eight minutes east one thousand nine hundred and seventeen feet to a triangular stone monument, unmarked, standing on the easterly wooded slope of a slight elevation, about forty feet west of open meadow and about two hundred feet southwest from Rocky Meadow brook; thence south forty-one degrees thirty-eight minutes east three thousand one hundred and thirty feet to a rough, triangular stone monument, marked C M, standing at an angle in a fence eight feet south of a wood road leading southeasterly from France street, on the eastern edge of woodland at the western limit of open meadow; thence south sixty degrees seven minutes east eight hundred feet to an irregular stone monument, unmarked, standing in a thick growth of birches, pines, etc., twelve feet southwest of an angle in a fence and about two thousand one hundred feet east of the house of James C. Warr on France street; thence north eighty-seven degrees three minutes east four hundred and ninety-two feet to a rough stone monument, marked C M, standing in a woodland about fifty feet west of Rocky Meadow brook; thence south thirty-one degrees thirty-six minutes east one thousand seven hundred and two feet to an irregular stone monument, marked C M, standing a few feet west of the eastern edge of woodland and about one hundred and twenty-five feet west of the Wewantitt river; thence south two degrees thirty-three minutes east one thousand six hundred and nineteen feet to a light colored, irregular stone monument, marked C M, standing in an open meadow about seventy-five feet east of the wood line on the western edge of the meadow and about two thousand four hundred feet east of France street; thence south twenty-three degrees fifty minutes west eight hundred feet to a light colored, irregular stone monument, unmarked, standing in an open pasture about two thousand four hundred feet northeasterly from the house of Frank N. Shurtleff on France street; thence south ten degrees five minutes east five hundred and ninety-six feet to a light colored stone monument, unmarked, standing in a wooded swamp about forty feet west of the western edge of open meadow, and about two thousand three hundred feet east of the junction of a farm road with France

street; thence south thirty-six degrees thirty-five minutes east one thousand three hundred and fifty-nine feet to a broken, triangular stone monument, marked C M, standing in bushes on the southwesterly edge of an open meadow near "Rocky Point"; thence north seventy-nine degrees eleven minutes east one hundred and twenty-three feet to a dark colored stone monument, marked C M, standing on "Rocky Point" in woodland; thence south eighty-one degrees fifty-eight minutes east one hundred and fifty-two feet to witness mark, a light colored stone monument, unmarked, standing in open meadow four feet west of the west bank of the Wewantitt river and near "Rocky Point"; thence in the same direction about thirty feet to a point in the center of the river; thence southeasterly, along the center of the Wewantitt river to a point in the center of the river north twelve degrees forty-three minutes west and about twenty-five feet distant from a witness mark, a rough granite monument, marked C M, standing in a line of bushes on the southerly bank of the river and about one hundred and fifty feet southeasterly from the bridge on Pine street; thence south twelve degrees forty-three minutes east about one thousand three hundred and one feet to a rough granite monument, marked C M W, standing near the northwesterly corner of the barn on the farm of Harvey H. Garney, on the easterly side of East street at the corner of Carver, Middleborough and Wareham.

Boundary line between towns of Carver and Middleborough established.

SECTION 2. The citizens of the territory by this act annexed to the town of Carver shall have the same right to vote for town officers and to vote on all other town matters at the annual town meeting of the town of Carver in the current year as they would have had if said territory had formed part of the town of Carver for more than six months next before said annual town meeting and if otherwise entitled to vote shall be registered as voters in the town of Carver by the registrars of voters of said town.

Voting rights of citizens of territory annexed to town of Carver.

SECTION 3. This act shall take effect upon its passage.

Approved March 7, 1921.

AN ACT AUTHORIZING THE TOWN OF FAIRHAVEN TO INCUR *Chap. 83*
INDEBTEDNESS FOR SCHOOL HOUSE PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of purchasing land and constructing thereon a school house and for furnishing and

Town of Fairhaven may incur indebted-

edness for
school house
purposes.

Fairhaven
School Loan,
Act of 1921.

equipping the same, the town of Fairhaven may borrow from time to time such sums as may be necessary not exceeding, in the aggregate, sixty thousand dollars and may issue bonds or notes therefor, which shall bear on their face the words, Fairhaven School Loan, Act of 1921. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit but shall otherwise be subject to chapter forty-four of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved March 8, 1921.

Chap. 84 AN ACT RELATIVE TO THE LISTING AND REGISTRATION OF
VOTERS IN CAMBRIDGE, CHELSEA AND WATERTOWN.

Be it enacted, etc., as follows:

1917, 106 (G),
§§ 9-12; 1918,
282 (G), §§ 9-
12; and 1919,
108 (G), §§ 9-
12, amended.
Words "male"
and "or
woman voter"
struck out
from laws rela-
tive to listing
and registra-
tion of voters
in Cambridge,
Chelsea and
Watertown.

1917, 106 (G),
§ 9; and 1918, 282
(G), § 9, fur-
ther amended.

Listing and
registration of
voters in Cam-
bridge and
Chelsea.

SECTION 1. Sections nine to twelve, inclusive, of chapter one hundred and six of the General Acts of nineteen hundred and seventeen, sections nine to twelve, inclusive, of chapter two hundred and eighty-two of the General Acts of nineteen hundred and eighteen, and sections nine to twelve, inclusive, of chapter one hundred and eight of the General Acts of nineteen hundred and nineteen, are hereby amended by striking out the word "male", and the words "or woman voter", wherever they occur.

SECTION 2. Section nine of said chapter one hundred and six, and section nine of said chapter two hundred and eighty-two, are hereby further amended by striking out the following words, constituting, in each section, the third sentence: — "The board shall also inquire at the residences of the women voters whose names are contained in the list prepared by the registrars of voters, under the provisions of section forty-four of chapter eight hundred and thirty-five of the acts of the year nineteen hundred and thirteen, and which shall be transmitted by said registrars to the listing board before the first day of April in each year, whether such women voters are resident thereat, and shall thereupon make true lists of the women voters found by them."

SECTION 3. Section nine of said chapter one hundred and eight is hereby further amended by striking out the following words, constituting the third sentence: — "The board shall also inquire at the residence of the women voters whose names are contained in the list prepared by the registrars of voters, under the provisions of section forty-four of

1919, 108 (G),
§ 9, further
amended.

Listing and
registration of
voters in
Watertown.

chapter eight hundred and thirty-five of the acts of nineteen hundred and thirteen, and which shall be transmitted by said registrars to the listing board before the first day of April in each year, whether such women voters are resident thereat, and shall thereupon make true lists of the women voters found by them."

SECTION 4. Section fifteen of said chapter one hundred and six, section fifteen of said chapter two hundred and eighty-two, and section fifteen of said chapter one hundred and eight, are hereby further amended by striking out, in the third sentence of each section, the words: — “; and likewise the name and residence, as aforesaid, of every woman voter whose name is contained in the list of women voters transmitted to them under this act”; by inserting at the end of the next to the last sentence in each section the words: — and if upon investigation they are satisfied that the name of any such voter has been omitted by mistake from the lists transmitted to them by the listing board, they may enter his name in the annual register and shall cause such entry to be attested by their clerk, — and by striking out, in each section, the following words, constituting the last sentence: — “They shall, before the first day of April in each year, transmit to the listing board a list of the women voters whose names are contained upon the register of the preceding year, with their residences, as they appear on said register.”

1917, 106 (G),
§ 15, 1918, 282
(G), § 15; and
1919, 108 (G),
§ 15, further
amended.

Listing and
registration of
voters in Cam-
bridge, Chelsea
and Water-
town.

SECTION 5. This act shall take effect upon its passage.

Approved March 10, 1921.

AN ACT INCREASING THE NUMBER OF MEMBERS OF THE CORPORATION KNOWN AS THE UNIVERSALIST PUBLISHING HOUSE. Chap. 85

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter two hundred and eighty-six of the acts of eighteen hundred and seventy-two is hereby amended by striking out, in the fourth line, the word “twenty-one”, and inserting in place thereof the word: — thirty, — so as to read as follows: — *Section 1.* Alonzo A. Miner, Newton Talbot, John D. W. Joy, Henry B. Metcalf, Henry D. Williams, Russell A. Ballou, their associates and successors, not exceeding at any one time thirty in number, are hereby made a corporation by the name of the Universalist Publishing House, to be established in Boston,

1872, 286, § 1,
amended.

Number of
members of
corporation
known as the
Universalist
Publishing
House
increased.

for the purpose of printing, publishing, purchasing, selling and distributing books, newspapers, magazines and other periodicals; with all the powers and privileges, and subject to all the duties, restrictions and liabilities contained in all general laws applicable to such corporations.

SECTION 2. This act shall take effect upon its passage.

Approved March 10, 1921.

Chap. 86 AN ACT RELATIVE TO UNCLAIMED PROPERTY IN THE BOSTON CITY HOSPITAL.

Be it enacted, etc., as follows:

Trustees of
The Boston
City Hospital
may sell cer-
tain unclaimed
property.

SECTION 1. If any money, goods or other property remains unclaimed in the possession of the trustees of The Boston City Hospital for a period of one year, and the owner or his place of abode or business is unknown, said trustees may sell such goods or other property at public auction, notice of the time and place of sale, with a description of the property to be sold, first being given by publishing once a week in three successive weeks in any newspaper published in Boston.

Sale of prop-
erty if perish-
able, etc.

SECTION 2. Such property, if perishable or likely to deteriorate greatly in value by keeping or the value of which will probably be less than the expense of keeping, may be sold at public auction at any time the said trustees deem advisable, except that reasonable notice of the time and place of sale shall first be given by publishing the same once in any newspaper in Boston.

Unclaimed
money and
proceeds of
sales to be paid
into city
treasury.

SECTION 3. Such unclaimed money, or the proceeds of such sale, after deducting all reasonable charges and expenses incurred on account of such money or property, shall be paid into the city treasury.

Payment of
proceeds to
owners proving
title, etc.

SECTION 4. If, within two years after such sale, the owner claims and proves his title to such property, the proceeds of such sale, after deducting all reasonable charges and expenses, shall be paid over to him upon the order of the said trustees.

SECTION 5. This act shall take effect upon its passage.

Approved March 10, 1921.

AN ACT AUTHORIZING THE TOWN OF GARDNER TO INCUR *Chap. 87*
INDEBTEDNESS FOR SEWERAGE PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. For the purposes stated in chapter sixty-four of the acts of eighteen hundred and ninety, as amended, the town of Gardner may, from time to time, borrow such sums as may be necessary not exceeding, in the aggregate, one hundred thousand dollars in addition to the amounts previously authorized and may issue bonds or notes therefor which shall bear on their face the words, Gardner Sewer Loan, Act of 1921. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit but shall otherwise be subject to chapter forty-four of the General Laws.

Town of Gardner may incur indebtedness for sewerage purposes.

Gardner Sewer Loan, Act of 1921.

SECTION 2. This act shall take effect upon its passage.

Approved March 10, 1921.

AN ACT AUTHORIZING THE COUNTY OF SUFFOLK TO PENSION *Chap. 88*
FLORA M. PARRISH.

Be it enacted, etc., as follows:

SECTION 1. Flora M. Parrish, for twenty-five years a faithful clerical assistant in the office of the clerk of the superior court for civil business for the county of Suffolk, shall at her request and with the approval of the chief justice of said court, be retired on a pension, payable by said county in monthly instalments, equal to one half the annual compensation received by her in said capacity at the time of her retirement.

County of Suffolk may pension Flora M. Parrish.

SECTION 2. This act shall take effect upon its acceptance by the city council of the city of Boston, subject to the provisions of its charter, provided that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to Boston city council, etc. Proviso.

Approved March 10, 1921.

AN ACT RELATIVE TO THE SALE OF PAPER BAGS OR SACKS *Chap. 89*
USED IN THE SALE OF COKE, CHARCOAL AND KINDLING
WOOD.

Be it enacted, etc., as follows:

SECTION 1. Section two hundred and forty-three of chapter ninety-four of the General Laws is hereby amended by adding at the end thereof the words: — Whoever himself or

G. L. 94, § 243, amended.

by his servant or agent or as the servant or agent of another sells or offers for sale a paper bag or sack to be used in the sale of coke, charcoal or kindling wood by measure which does not conform in every particular to the requirements of this section shall be punished by a fine of not more than one hundred dollars, — so as to read as follows: — *Section 243.* Paper bags or sacks used or intended to be used in the sale of coke, charcoal or kindling wood by measure shall be not less than twenty-five inches in height, not less than thirteen and one half inches in width, and the bottoms shall not be less than four and three quarters inches wide. They shall be filled to a point not more than six inches from the upper end. Bags of unpacked kindling wood or of coke or charcoal sold or offered for sale by measure shall contain, and shall be sold as containing, one half bushel, Massachusetts standard dry measure. Bags and sacks shall be plainly marked with the name and business address of the person putting up the same, and the words “one half bushel” in bold, uncondensed, capital letters at least one inch in height. Whoever himself or by his servant or agent or as the servant or agent of another sells or offers for sale a paper bag or sack to be used in the sale of coke, charcoal or kindling wood by measure which does not conform in every particular to the requirements of this section shall be punished by a fine of not more than one hundred dollars.

Paper bags,
etc., used in
sale of coke,
etc., regulated.

Penalty for
sale of bags,
etc., not con-
forming to
requirements.

G. L. 94, § 248,
amended.

Penalty for
certain offences
in connection
with sale of
coal, coke,
charcoal and
kindling wood.

Enforcement
of the laws.

SECTION 2. Section two hundred and forty-eight of said chapter ninety-four is hereby amended by inserting after the word “inclusive”, in the second line, the words: — , except as otherwise provided therein, — so as to read as follows: — *Section 248.* Whoever violates any provision of sections two hundred and forty to two hundred and forty-seven, inclusive, except as otherwise provided therein, or fails to comply with any request for information or direction made under authority of sections two hundred and forty, two hundred and forty-one, two hundred and forty-four to two hundred and forty-six, inclusive, or gives a false answer to any such request, shall be punished by a fine of not more than fifty dollars; and whoever is guilty of fraud or deceit as to the weighing, selling or delivering of coke, charcoal or coal, shall be punished by a fine of not more than one hundred dollars. The director of standards and local sealers of weights and measures shall cause sections two hundred and forty-two, two hundred and forty-three and two hundred and forty-seven to be enforced, and said local sealers shall

cause sections two hundred and forty, two hundred and forty-one, two hundred and forty-four to two hundred and forty-six, inclusive, to be enforced.

Approved March 10, 1921.

AN ACT RELATIVE TO THE RELEASE OF WILD BIRDS OR ANIMALS. Chap. 90

Be it enacted, etc., as follows:

Chapter one hundred and thirty-one of the General Laws is hereby amended by inserting after section eighty-two the following new section:— *Section 82A.* No person shall liberate any propagated wild birds or quadrupeds, other than live decoys, without first obtaining a permit therefor from the director. No person shall liberate any sick or diseased birds or quadrupeds at any time. Violation of this section shall be punished by a fine of not less than ten nor more than one hundred dollars for each bird or quadruped liberated.

G. L. 131,
new section
after § 82.
Release of wild
birds or ani-
mals restricted.

Penalty.

Approved March 10, 1921.

AN ACT RELATIVE TO THE OLD COLONY MUTUAL RELIEF ASSOCIATION. Chap. 91

Be it enacted, etc., as follows:

The Old Colony Mutual Relief Association is hereby authorized to retain as members all persons who were carried on its rolls as members prior to July first, nineteen hundred and twenty, and the said association shall be held and considered a fraternal benefit society.

Old Colony
Mutual Relief
Association,
membership,
etc.

Approved March 10, 1921.

AN ACT AUTHORIZING THE DEPARTMENT OF EDUCATION TO GRANT DEGREES IN EDUCATION. Chap. 92

Be it enacted, etc., as follows:

Chapter seventy-three of the General Laws is hereby amended by adding at the end thereof the following new section:— *Section 7.* The department may grant the degree of Bachelor of Education to any person completing a four-year course in a Massachusetts state normal school.

G. L. 73, new
section after
§ 6.
Department of
education may
grant degrees
in education.

Approved March 10, 1921.

Chap. 93 AN ACT RELATIVE TO THE FORM OF THE GENERAL REGISTER AND STREET LISTS OF VOTERS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

1913, 835, § 82,
amended.

Books for registration of voters in city of Boston to be prepared, etc.

SECTION 1. Chapter eight hundred and thirty-five of the acts of nineteen hundred and thirteen is hereby amended by striking out section eighty-two and inserting in place thereof the following: — *Section 82.* Said board shall prepare books for the registration of the voters, and the books so prepared shall constitute the general register of voters in said city. Said books shall be in substantially the following form: —

Form.	1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.
	Date of Application for Registration.	No. of Residence or Other Designation, April 1, of the Year of Application.	Name.	Signature.	Length of Residence in City.	Occupation.	Place of Occupation.	Place of Birth.	Court of Naturalization.	Date of Naturalization Papers.	PERSONAL DESCRIPTION.	
											Age.	Height.
												Present Residence.

Under the several headings, there shall be entered as follows: —

One, The day, month and year when the applicant is adjudged a qualified voter.

Two, The name of the applicant and the number on the street, place or other location of his or her dwelling on that day, or if there is no number, such clear and definite description of the place of said dwelling that it can be readily ascertained; if more than one family resides in said dwelling, the floor on which the applicant resides; and if there is more than one house at the number given by the applicant, in which one of them he or she resides.

Three, The full surname and the Christian name of the applicant, or the name by which he or she is generally known, and the initial of every other name which he or she may have.

Four, The applicant shall write his or her name on a line with the statements herein set forth.

Five, The number of months or years which the applicant Form. states that he or she has lived in said city.

Six, A full statement of his or her occupation.

Seven, The place of his or her occupation.

Eight, The name of the city or town, county and state, country, kingdom, empire or dominion where he or she was born.

Nine, The designation of the court where the applicant, if he or she was an alien, was naturalized.

Ten, The date of such naturalization.

Eleven, The age and approximate height of the applicant.

Twelve, The residence of the applicant at the date of registration.

The names of all voters residing in the same dwelling shall be placed together.

SECTION 2. Section eighty-five of said chapter eight hundred and thirty-five, as amended by section seven of chapter two hundred and sixty-nine of the General Acts of nineteen hundred and nineteen, is hereby further amended by striking out in the form the word "Weight", so as to read as follows:

1913, 835, § 85, etc., amended.

— *Section 85.* Said board shall after the close of registration and before the biennial state election and in odd numbered years before the annual city election, make, by precincts, from the annual register, street lists of the voters to be used as the voting lists at elections. Each list shall contain not less than two hundred names, and names shall be added to or taken therefrom, as persons are found qualified or not qualified to vote. Said lists shall be in the following form: —

Street lists of voters in city of Boston to be made.

Form.

				Street.	
NAME OF VOTER.	Residence, Number, or Other Designation, April 1, of the Year of Election.	Length of Residence in City.	PERSONAL DESCRIPTION.		
			Age.	Height.	

Approved March 10, 1921.

Chap. 94 AN ACT RELATIVE TO THE USE OF LABELS ON LOAVES OF BREAD.

Be it enacted, etc., as follows:

G. L. 94, § 8,
amended.

Use of labels
on loaves of
bread.

Section eight of chapter ninety-four of the General Laws is hereby amended by striking out the last sentence and inserting in place thereof the following: — No label, attached to an unwrapped loaf, shall be larger than provided herein, nor shall any such label be affixed in any manner or with any gum or paste which is unsanitary or unwholesome.

Approved March 10, 1921.

Chap. 95 AN ACT RELATIVE TO THE SALE OF COAL AND COKE.

Be it enacted, etc., as follows:

G. L. 94, § 241,
amended.

Sale of coal,
coke and char-
coal in bags
and baskets.

SECTION 1. Section two hundred and forty-one of chapter ninety-four of the General Laws is hereby amended by striking out, in the first, second and third lines, the words "less than one hundred pounds shall be sold by weight, and coke in quantities of less than one hundred pounds", and inserting in place thereof the following: — one hundred pounds or less shall be sold by weight, and coke in quantities of one hundred pounds or less, — so as to read as follows: — *Section 241.* Coal in quantities of one hundred pounds or less shall be sold by weight, and coke in quantities of one hundred pounds or less and charcoal in any quantities shall be sold by weight or measure, in bags or baskets, and until delivered shall be kept in the same bags or baskets in which they were weighed or measured; and coal, coke and charcoal thus sold shall be exempt from section two hundred and forty-four. When sold by weight, such bags or baskets shall be plainly marked with the name of the person who puts up the same and with the weight of the coal, coke or charcoal therein in letters and numerals, respectively, of bold uncondensed type at least one inch in height.

G. L. 94, § 240,
amended.

Coal and coke
sold by weight,
when.

SECTION 2. Section two hundred and forty of said chapter ninety-four is hereby amended by striking out the last sentence and inserting in place thereof the following: — Coke sold in quantities of more than one hundred pounds shall be sold only by weight, — so as to read as follows: — *Section 240.* Coal shall be sold by weight, and, except when sold

by cargo, two thousand pounds avoirdupois shall be the standard for the ton. Coke sold in quantities of more than one hundred pounds shall be sold only by weight.

Approved March 10, 1921.

AN ACT RELATIVE TO THE BOSTON AND GLOUCESTER CON- Chap. 96
STRUCTION COMPANY.

Be it enacted, etc., as follows:

SECTION 1. The corporation heretofore known as the Boston and Gloucester Construction Company is hereby revived and continued for the term of six months from the passage of this act for the purpose of disposing of its remaining assets, to wit: a certain parcel of land near the corner of Seaver and Harold streets in Boston, discharging municipal liens and other incumbrances thereon, if any, and executing and delivering a deed thereof to any person who may purchase the same.

Boston and Gloucester Construction Company revived for certain purposes.

SECTION 2. This act shall take effect upon its passage.

Approved March 12, 1921.

AN ACT AUTHORIZING THE TOWN OF SHARON TO BORROW Chap. 97
MONEY FOR A GRAMMAR SCHOOL BUILDING.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of acquiring land for and the construction of a grammar school building, and for the purchase of original equipment and furnishings for said building, the town of Sharon may borrow from time to time such sums as may be necessary not exceeding, in the aggregate, twenty-five thousand dollars, and may issue notes or bonds therefor, which shall bear on their face the words, Sharon School Loan, Act of 1921. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit but shall otherwise be subject to chapter forty-four of the General Laws.

Town of Sharon may borrow money for a grammar school building.

Sharon School Loan, Act of 1921.

SECTION 2. This act shall take effect upon its passage.

Approved March 12, 1921.

Chap. 98 AN ACT AUTHORIZING THE CITY OF FALL RIVER TO BORROW MONEY FOR CONSOLIDATING ITS HOSPITALS AND FOR ESTABLISHING CERTAIN EQUIPMENT PLANTS FOR THEIR JOINT USE.

Be it enacted, etc., as follows:

City of Fall River may borrow money for consolidating its hospitals, etc.

SECTION 1. For the purpose of constructing, uniting, and consolidating its municipal hospitals now existing or hereafter to be built, including its contagious, general, and tuberculosis hospitals, and for establishing for their joint use, common heating, laundry, garage, kitchen and administrative buildings, and such other buildings, facilities and equipment as may be found necessary, on any land now belonging to the city of Fall River and authorized to be used for hospital purposes or any additional land which may be acquired by it, the city of Fall River may from time to time borrow such sums as may be necessary not exceeding, in the aggregate, three hundred thousand dollars in addition to any sums heretofore authorized on account of said hospitals, and may issue notes or bonds therefor which shall bear on their face the words, Fall River Hospital Consolidation Loan, Act of 1921. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall otherwise be subject to chapter forty-four of the General Laws.

Fall River Hospital Consolidation Loan, Act of 1921.

SECTION 2. This act shall take effect upon its passage.

Approved March 12, 1921.

Chap. 99 AN ACT AUTHORIZING THE CITY OF MALDEN TO INCUR INDEBTEDNESS FOR SIDEWALK CONSTRUCTION.

Be it enacted, etc., as follows:

City of Malden may incur indebtedness for sidewalk construction.

SECTION 1. For the purpose of the construction of sidewalks of brick, stone, concrete or other material of similar lasting character, the city of Malden may from time to time borrow such sums as may be necessary not exceeding, in the aggregate, one hundred and fifty thousand dollars, and may issue bonds or notes therefor which shall bear on their face the words, Malden Sidewalk Loan, Act of 1921. Each authorized issue shall constitute a separate loan which shall be paid within five years from its date. Indebtedness incurred under this act shall be in excess of the statutory limit but

Malden Sidewalk Loan, Act of 1921.

shall otherwise be subject to the provisions of chapter forty-four of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved March 12, 1921.

AN ACT AUTHORIZING THE CITY OF PITTSFIELD TO MAKE AN ADDITIONAL LOAN FOR STREET GRADING AND PAVING. Chap.100

Be it enacted, etc., as follows:

SECTION 1. For the purpose of carrying out the provisions of chapter two hundred and fifty-three of the Special Acts of nineteen hundred and sixteen, as amended by chapter three hundred and forty-three of said Special Acts, the city of Pittsfield may borrow, in excess of the statutory limit of indebtedness, the further sum of two hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Pittsfield Paving Loan, Act of 1921, and shall be issued subject to the provisions of said chapter two hundred and fifty-three, as amended, except that the rate of interest shall be fixed in accordance with section twenty-two of chapter forty-four of the General Laws.

City of Pittsfield may make an additional loan for street grading and paving.

Pittsfield Paving Loan, Act of 1921.

SECTION 2. This act shall take effect upon its passage.

Approved March 12, 1921.

AN ACT AUTHORIZING THE CITY OF MALDEN TO INCUR INDEBTEDNESS FOR PERMANENT STREET PAVING. Chap.101

Be it enacted, etc., as follows:

SECTION 1. For the purpose of the construction of stone, block, brick, or other permanent pavement of similar lasting character, and for the original construction of streets or highways or the extension or widening of streets or highways, including land damages and the cost of pavement and sidewalks laid at the time of said construction, the city of Malden may, from time to time, borrow such sums as may be necessary not exceeding, in the aggregate, six hundred thousand dollars, and may issue bonds or notes therefor which shall bear on their face the words, Malden Paving Loan, Act of 1921. Each authorized issue shall constitute a separate loan which shall be paid within ten years from its date. Indebtedness incurred under this act shall be in excess of the statutory

City of Malden may incur indebtedness for permanent street paving.

Malden Paving Loan, Act of 1921.

limit but shall otherwise be subject to the provisions of chapter forty-four of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved March 12, 1921.

Chap. 102 AN ACT RELATIVE TO SELECTMEN ACTING AS REGISTRARS OF VOTERS IN SMALL TOWNS.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to avoid the trouble and expense, in a small town, of creating a separate board of registrars of voters when the number of registered voters is increased to more than three hundred by the registration of women, therefore, it is declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. 51, § 15,
amended.

Registrars of
voters in
certain cities
and towns,
appointment,
term of office,
etc.

SECTION 1. Chapter fifty-one of the General Laws is hereby amended by striking out section fifteen and inserting in place thereof the following: — *Section 15.* Except as provided in sections sixteen and seventeen, there shall be in every city, except Boston and Lowell, and in every town a board of registrars of voters consisting of the city or town clerk and three other persons who shall, in a city, be appointed by the mayor, with the approval of the aldermen, and in a town, by a writing signed by the selectmen and filed with the town clerk. When a board of registrars is first appointed, the registrars shall be appointed in February or March for terms respectively of one, two and three years, beginning with April first following. In February or March in every year after the original appointment, one registrar shall be appointed for the term of three years, beginning with April first following.

G. L. 51, § 16,
amended.

Registrars of
voters in small
towns.

SECTION 2. Said chapter fifty-one of the General Laws is hereby further amended by striking out section sixteen and inserting in place thereof the following: — *Section 16.* In every town having less than six hundred voters registered for the biennial state election, the selectmen and the town clerk may, if the selectmen so vote, constitute a board of registrars of voters; but when six hundred voters shall be so registered, a board of registrars shall in the following year be appointed as provided in the preceding section, and shall continue to perform the duties of registration until the number of voters so registered for two successive biennial state elections shall be less than six hundred, whereupon, on April first following

such second biennial state election, if the selectmen so vote, such board shall cease to exist and thereafter the selectmen and town clerk shall constitute a board of registrars of voters.

Approved March 12, 1921.

AN ACT AUTHORIZING THE COUNTY OF SUFFOLK TO PENSION Chap.103
GEORGE A. HOLMES.

Be it enacted, etc., as follows:

SECTION 1. The county of Suffolk may retire George A. Holmes of Boston, a clerk in Suffolk registry of deeds since eighteen hundred and fifty-seven, on an annual pension of four hundred and eighty dollars, payable monthly.

Suffolk county
may pension
George A.
Holmes.

SECTION 2. This act shall take effect upon its acceptance by the city council of the city of Boston, subject to the provisions of its charter, provided that such acceptance occurs prior to December thirty-first in the current year.

To be sub-
mitted to city
council of
Boston, etc.
Proviso.

Approved March 12, 1921.

AN ACT RELATIVE TO PERMITS FOR THE CONSTRUCTION AND Chap.104
MAINTENANCE OF CERTAIN TANKS.

Be it enacted, etc., as follows:

Section fifty-four of chapter one hundred and forty-eight of the General Laws is hereby amended by striking out, in the fifth line, the word "marshal", and inserting in place thereof the word:—commissioner,— so as to read as follows:— *Section 54.* No person shall construct, maintain or use any tank or container of more than ten thousand gallons capacity, unless constructed principally of wood, for the storage of any fluid other than water, unless the same is underground, without first securing a permit therefor from the commissioner. Whoever violates this section or a rule or regulation made under the following section shall be punished by a fine of not less than fifty nor more than one thousand dollars.

G. L. 148, § 54,
amended.

Permits for
construction
and mainte-
nance of
certain tanks.

Penalty.

Approved March 12, 1921.

AN ACT AUTHORIZING THE NORFOLK COUNTY LAW LIBRARY Chap.105
ASSOCIATION TO PURCHASE AND DEPOSIT LAW BOOKS IN
THE LAW LIBRARY OF THE MUNICIPAL COURT OF BROOK-
LINE.

Be it enacted, etc., as follows:

The Norfolk County Law Library Association, a corporation established under general law, may expend from the

Norfolk
County Law
Library Asso-

ciation may purchase and deposit law books in law library of municipal court of Brookline.

funds now in its possession a sum not exceeding five hundred dollars for the purchase of law books to be deposited in the law library of the municipal court of Brookline; and may, in the year nineteen hundred and twenty-two and in each year thereafter, expend from funds then in its possession, a sum not exceeding five hundred dollars for the same purpose.

Approved March 12, 1921.

Chap. 106

AN ACT RELATIVE TO TRANSIENT VENDORS.

Be it enacted, etc., as follows:

G. L. 101, § 1,
amended.

SECTION 1. Section one of chapter one hundred and one of the General Laws is hereby amended by striking out all after the word "merchandise", in the fifth line, and also by adding the following new paragraph: — "Temporary or transient business" for the purposes of this chapter shall mean and include any exhibition and sale of goods, wares or merchandise which is carried on in any tent, booth, building or other structure, unless such place is open for business during usual business hours for a period of at least ten months in each year, — so as to read as follows: — *Section 1.* "Transient vendor" for the purposes of this chapter shall mean and include any person, either principal or agent, who engages in a temporary or transient business in the commonwealth, either in one locality or in traveling from place to place selling goods, wares or merchandise.

"Transient vendor",
term defined.

"Temporary or transient business",
term defined.

"Temporary or transient business" for the purposes of this chapter shall mean and include any exhibition and sale of goods, wares or merchandise which is carried on in any tent, booth, building or other structure, unless such place is open for business during usual business hours for a period of at least ten months in each year.

G. L. 101, § 2,
amended.

SECTION 2. Section two of said chapter one hundred and one is hereby amended by adding at the end thereof the following: — No transient vendor shall be relieved or exempted from the provisions and requirements of this chapter relative to transient vendors by reason of associating himself temporarily with any local dealer, trader or merchant, or by conducting such temporary or transient business in connection with or as a part of the business of, or in the name of any local dealer, trader or merchant, — so as to read as follows: — *Section 2.* The provisions of this chapter relative to transient vendors shall not apply to sales by commercial travelers or by selling agents to dealers in the usual course

Limit of application of the law relative to transient vendors.

of business, or to bona fide sales of goods, wares or merchandise by sample for future delivery, or to sales of goods, wares or merchandise by any person, whether principal or agent, who engages in temporary or transient business in any town in which he has paid taxes upon his stock in trade during the current year, or to hawkers and pedlers as defined in section thirteen, nor shall they affect the right of any town to pass ordinances or by-laws authorized by law relative to transient vendors. No transient vendor shall be relieved or exempted from the provisions and requirements of this chapter relative to transient vendors by reason of associating himself temporarily with any local dealer, trader or merchant, or by conducting such temporary or transient business in connection with or as a part of the business of, or in the name of any local dealer, trader or merchant.

Approved March 12, 1921.

AN ACT AUTHORIZING THE GOVERNOR TO PROCLAIM A CLOSE Chap. 107
SEASON FOR GAME IN TIMES OF DROUTH.

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and thirty-one of the General Laws is hereby amended by striking out section twenty-nine and inserting in place thereof the following: — *Section 29.* Whenever, during an open season for the hunting of any kind of game, it shall appear to the governor that by reason of extreme drouth the use of firearms is likely to cause forest fires, he may, by proclamation, suspend the open season and make it a close season for the shooting of birds and wild animals of every kind for such time as he may designate, and may prohibit the discharge of firearms on or near forest land during the said time; provided that the governor, by proclamation, may extend such open season on pheasants, partridges, woodcock, quail and squirrels for a period equivalent to the time of such suspension or for a shorter time, as soon as the forest shall be deemed free from danger by fire, but the open season on woodcock shall not be extended beyond the time established by federal law as the end of the open season on woodcock in this commonwealth.

G. L. 131, § 29,
amended.

Governor may
proclaim close
season for game
in times of
drouth.

Proviso.

SECTION 2. Said chapter one hundred and thirty-one is hereby further amended by striking out section thirty and inserting in place thereof the following: — *Section 30.* During a close season proclaimed as aforesaid, all laws relating to the

G. L. 131, § 30,
amended.

Penalty for
violations of
preceding
section.

close season shall be in force, and whoever violates any provision thereof shall be subject to the penalty prescribed therefor. Whoever, during a close season so proclaimed, discharges a firearm on or near forest land, or shoots any wild animal or bird, as to which there is no close season otherwise provided by law, shall be punished by a fine of not more than one hundred dollars.

Approved March 12, 1921.

Chap.108 AN ACT TO CHANGE THE DATE OF THE ANNUAL REPORT OF THE BOARD OF TRUSTEES OF THE BOSTON ELEVATED RAILWAY COMPANY.

Be it enacted, etc., as follows:

1919, 185 (S),
amended.

Annual report
of board of
trustees of
Boston Ele-
vated Railway
Company.

Chapter one hundred and eighty-five of the Special Acts of nineteen hundred and nineteen is hereby amended by striking out, in the fourth line, the words "the fifteenth day of January", and inserting in place thereof the words:—February first,—and by striking out, in the seventh line, the word "first", and inserting in place thereof the word:—thirty-first,—so as to read as follows:—The board of trustees of the Boston Elevated Railway Company, created under chapter one hundred and fifty-nine of the Special Acts of nineteen hundred and eighteen, shall, on or before February first in each year, make a report to the general court of its proceedings during the preceding year, together with a statement of the financial condition as of December thirty-first of the preceding year, and the results of operation, of the system under its control, and such other information and comments relative thereto as the board may deem proper.

Approved March 12, 1921.

Chap.109 AN ACT EXEMPTING CERTAIN BUILDINGS IN THE CITY OF BOSTON FROM THE LAWS RELATIVE TO FIRE PROTECTION IN STABLES FOR HORSES AND MULES.

Be it enacted, etc., as follows:

Certain build-
ings in city
of Boston
exempted from
laws relative
to fire protec-
tion in stables
for horses and
mules.
Provisos.

The existing buildings upon premises numbered forty-nine on North Margin street, in Boston, shall be exempt from the provisions of section eighty-six of chapter two hundred and seventy-two of the General Laws; provided that such buildings continue to be equipped with a line of fire hose on each floor above the first, to be used for fire purposes only, sufficient to reach all parts of said floor and connected with a

fire supply pipe on each such floor, and provided that at least one man shall be on duty at such buildings at all times during the day and night. *Approved March 12, 1921.*

AN ACT RELATIVE TO THE BOARD OF SURVEY IN THE CITY OF MALDEN. *Chap.110*

Be it enacted, etc., as follows:

SECTION 1. The street and water commission of the city of Malden established under chapter one hundred and fifty-two of the acts of nineteen hundred and six shall be the board of survey of said city and shall have and exercise all the powers and duties conferred or imposed upon boards of survey in cities by sections seventy-three to eighty-one, inclusive, of chapter forty-one of the General Laws or by any other provision of law.

Street and water commission of city of Malden to be board of survey, etc.

SECTION 2. This act shall take effect upon its acceptance by the city council of said city, subject to the provisions of its charter, provided that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to city council, etc.
Proviso.

Approved March 12, 1921.

AN ACT TO CHANGE THE HARBOR LINE IN BOSTON HARBOR ON THE SOUTHERLY AND EASTERLY SIDES OF EAST BOSTON. *Chap.111*

Be it enacted, etc., as follows:

SECTION 1. The harbor lines on the northerly side of Boston harbor are hereby changed and established as follows: — The locations of the angle points in said lines are fixed by distances, hereinafter called longitude, in feet from a meridian passing through the center of the apex of the dome of the state house in Boston, and by distances, hereinafter called latitudes, in feet from a line at right angles to said meridian and passing through the said center of the apex of the state house dome, and the bearings refer to the true meridian passing through center of said apex.

Certain harbor lines in Boston harbor changed and established.

Beginning at the point I of the harbor line established by chapter forty-eight of the acts of eighteen hundred and eighty-two, in latitude one thousand six hundred and forty-eight and four tenths feet north and longitude six thousand nine hundred and twenty-four and four tenths feet east; thence seven thousand six hundred feet south, sixty-one degrees, two minutes, thirty-one and six tenths seconds east to

Certain harbor
lines in Boston
harbor changed
and established.

point K at or near the westerly shore of Governors Island in latitude two thousand and thirty-one and three tenths feet south and longitude thirteen thousand five hundred and seventy-four and two tenths feet east; thence four hundred and seventy-one and two tenths feet south, ten degrees, twenty-two minutes, fourteen and four tenths seconds east to point K in latitude two thousand four hundred and ninety-four and eight tenths feet south and longitude thirteen thousand six hundred and fifty-nine feet east; thence four thousand two hundred and three and eight tenths feet south, forty-nine degrees, thirty-two minutes, forty-nine and two tenths seconds east to point L in latitude five thousand two hundred and twenty-three feet south and longitude sixteen thousand eight hundred and fifty-eight feet east; thence three thousand five hundred feet south, seventy-four degrees east to point M in latitude six thousand one hundred and eighty-seven and eight tenths feet south and longitude twenty thousand two hundred and twenty-two and five tenths feet east; thence one thousand eight hundred and forty-six and six tenths feet north, nineteen degrees east to point N in latitude four thousand four hundred and forty-one and eight tenths feet south and longitude twenty thousand eight hundred and twenty-three and six tenths feet east; thence nine thousand nine hundred and thirty-four and two tenths feet north, forty-nine degrees, fourteen minutes, fifty-five seconds west to point O in latitude two thousand and forty-three and one tenth feet north and longitude thirteen thousand two hundred and ninety-eight feet east; thence one thousand feet north, forty degrees, forty-five minutes, five seconds east to point P in latitude two thousand eight hundred and six tenths feet north and longitude thirteen thousand nine hundred and fifty and eight tenths feet east; thence seven thousand six hundred feet south, forty-nine degrees, fourteen minutes, fifty-five seconds east to point Q in latitude two thousand one hundred and sixty and five tenths feet south and longitude nineteen thousand seven hundred and eight and one tenth feet east; thence one thousand seven hundred and ninety-nine and nine tenths feet south, seventy-four degrees east to point S in latitude two thousand six hundred and fifty-six and six tenths feet south and longitude twenty-one thousand four hundred and thirty-eight and three tenths feet east; thence two thousand three hundred feet north, nineteen degrees east to point T in latitude four hundred and eighty-one and nine tenths feet south

and longitude twenty-two thousand one hundred and eighty-seven and one tenth feet east; thence four thousand six hundred and forty-eight and five tenths feet north, forty-nine degrees, fourteen minutes, fifty-five seconds west to point U in latitude two thousand five hundred and fifty-two and five tenths feet north and longitude eighteen thousand six hundred and sixty-five and seven tenths feet east; thence five thousand one hundred and eighty-one and six tenths feet north, fifty-nine degrees, thirty-seven minutes, fifty-five seconds west to point V in latitude five thousand one hundred and seventy-two feet north and longitude fourteen thousand one hundred and ninety-five and one tenth feet east; thence three hundred and fourteen and one tenth feet north, twenty-one degrees, six minutes, four and three tenths seconds east to point R in the harbor line established by chapter two hundred and ninety-three of the acts of eighteen hundred and fifty-six in latitude five thousand four hundred and sixty-five feet north and longitude fourteen thousand three hundred and eight and two tenths feet east.

Certain harbor lines in Boston harbor changed and established.

SECTION 2. The harbor line established by chapter three hundred and thirty-four of the Special Acts of nineteen hundred and fifteen is hereby abolished.

Harbor line, previously established, abolished.

Approved March 12, 1921.

AN ACT RELATIVE TO THE DISPOSITION OF MOTOR VEHICLE FEES AND FINES AND TO APPROPRIATIONS FOR THE COMMONWEALTH'S SHARE OF THE EXPENSE OF MAINTENANCE OF BOULEVARDS IN THE METROPOLITAN DISTRICT.

Chap. 112

Whereas, It is important that this act take effect before the passage of the general appropriation bill, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency preamble.

Be it enacted, etc., as follows:

SECTION 1. Chapter ninety of the General Laws is hereby amended by striking out section thirty-four and inserting in place thereof the following: — *Section 34.* The fees and fines received under the preceding sections, together with all other fees received by the registrar or any other person under the laws of the commonwealth relating to the use and operation of motor vehicles, shall be paid by the registrar or by the person collecting the same into the treasury of the commonwealth. Out of said fees and fines there

G. L. 90, § 34, amended.

Disposition of motor vehicle fees and fines.

shall be appropriated such amount as is necessary to carry out the provisions of law regulating the use of motor vehicles. The balance then remaining may be appropriated for expenditure under the direction of the division for maintaining, repairing, improving and constructing town and county highways together with any money which any town or county may appropriate for said purpose to be used on the same highway, and said way shall remain a town or county way; for expenditure under the direction of the division for maintaining, repairing and improving state highways, and for constructing state highways to an amount not exceeding that part of the cost thereof which is not assessed upon the counties under the provisions of section nine of chapter eighty-one; and for meeting the commonwealth's share of the expenses of the metropolitan district commission for maintaining boulevards in the metropolitan parks district under section fifty-six of chapter ninety-two.

G. L. 81, § 9,
amended.

SECTION 2. Section nine of chapter eighty-one of the General Laws is hereby amended by striking out, in the first, second and third lines, the words “, except money appropriated from motor vehicle fees and fines under section thirty-four of chapter ninety”, and by striking out, in the fourth line, the words “and sections thirteen and fourteen,” so as to read as follows:—*Section 9.* One fourth of any money which may be expended under any provision of sections four to eight, inclusive, for a highway in any county, with interest thereon at the rate of three per cent per annum, shall be repaid by said county to the commonwealth in such instalments and at such times within six years thereafter as the division, with the approval of the state auditor, having regard to the financial condition of the county, shall determine.

G. L. 92, § 56,
amended.

Appropriations
for common-
wealth's share
of expense of
maintaining
boulevards,
etc.

SECTION 3. Section fifty-six of chapter ninety-two of the General Laws is hereby amended by striking out the last sentence and inserting in place thereof the following:—The remaining half of the cost of maintenance of boulevards shall be annually appropriated by the general court from the revenue of the commonwealth received from motor vehicle fees and fines or from any other available source.

Approved March 14, 1921.

AN ACT TO PROVIDE CERTAIN REMEDIES RELATIVE TO THE TAXATION OF INCOMES. *Chap. 113*

Whereas, The deferred operation of this act would cause substantial inconvenience, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience. Emergency preamble.

Be it enacted, etc., as follows:

SECTION 1. Section forty-seven of chapter sixty-two of the General Laws is hereby amended by inserting after the word "business", in the sixth line, the following: — or, if such person claims a domicile without the commonwealth, by filing a complaint against the commissioner in the superior court for any county, — so as to read as follows: — *Section 47.* Any person aggrieved by the refusal of the commissioner to abate in whole or in part under section forty-three a tax assessed under this chapter, and who has paid his tax, may, instead of pursuing the remedy provided in section forty-five, appeal from such refusal by filing a complaint against the commissioner in the superior court for the county where such person resides or has his principal place of business, or, if such person claims a domicile without the commonwealth, by filing a complaint against the commissioner in the superior court for any county, within thirty days after the notice by the commissioner of his decision in accordance with section forty-three. An order of notice shall be issued by said court and served on the commissioner within such time as the court directs, and subsequent proceedings shall be conducted in accordance with sections sixty-five to sixty-eight, inclusive, of chapter fifty-nine. If an abatement is granted, the amount thereof shall be repaid to the complainant by the state treasurer, with interest at the rate of six per cent per annum from the time when the tax was paid, and costs. G. L. 62, § 47, amended.
Appeal from decisions of commissioner of corporations and taxation relative to taxation of incomes.

SECTION 2. Section forty-eight of said chapter sixty-two is hereby amended by inserting at the end thereof the following: — But the word "exclusive" in this section shall not be construed to deprive any person of a right of action at law in any federal court, — so as to read as follows: — *Section 48.* The remedies provided by sections forty-three to forty-seven, inclusive, shall be exclusive, whether or not the G. L. 62, § 48, amended.
Certain remedies relative to taxation of incomes exclusive, etc.

tax is wholly illegal. But the word "exclusive" in this section shall not be construed to deprive any person of a right of action at law in any federal court.

Approved March 15, 1921.

Chap. 114 AN ACT RELATIVE TO THE LISTING OF VOTERS IN THE CITY OF BOSTON.

Emergency
preamble.

Whereas, It is necessary that this act take effect forthwith in order to apply to the current listing of voters in the city of Boston, therefore, inasmuch as certain provisions thereof are not restricted in their operation to said city, the act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

1917, 29 (G),
§ 8, amended.

Listing board
in city of
Boston to make
lists of voters.

Buildings used
as residences
to be desig-
nated, etc.

Police commis-
sioner may take
further time
when necessary,
etc.

SECTION 1. Chapter twenty-nine of the General Acts of nineteen hundred and seventeen is hereby amended by striking out section eight and inserting in place thereof the following: — *Section 8.* The listing board shall, within the first twenty week days of April in each year, by itself or by police officers subject to the jurisdiction of the police commissioner, visit every building in said city, and after diligent inquiry make true lists, arranged by streets, wards and voting precincts, and containing, as nearly as the board can ascertain, the name, age, occupation and residence on the first day of April in the current year, and the residence on the first day of April in the preceding year, of every person, twenty years of age or upwards, who is not a pauper in a public institution, residing in said city. Said board shall designate in the said lists all buildings used as residences by such persons, in their order on the street where they are situated, by giving the number or other definite description of every such building so that it can readily be identified, and shall place opposite the number or other description of every such building the name, age and occupation of every such person residing therein on the first day of April in the current year, and residence on the first day of April in the preceding year. If in any year the police commissioner shall believe it to be impracticable, because of any public exigency requiring unusual service from the police force of the city, to complete within the first twenty week days of April the said visitation, and to transmit to the election commissioners

on or before the twenty-fifth day of May the lists described in this section, he shall have authority, after having given notice in writing to the listing board and to the board of election commissioners of the city, to take such further time for the said visitation and transmission, not exceeding ten week days, as he shall deem necessary.

The board shall place in the lists made by it, opposite the name of every such person, the name of the inmate, owner or occupant of the building, or the name and residence of any other person who gives the information relating to such person. Where such information is given by one person relating to more than one such person residing in one building, ditto marks may be used in the lists under the name of the person giving the information, after his name has once been placed opposite the name of such person first written down as residing in such building.

Names of informants to be given, etc.

The board shall, upon the personal application of a person listed for the correction of any error in their lists or whenever informed of any such error, make due investigation, and upon proof thereof correct the same on their lists, and shall immediately notify the election commissioners of such correction, who shall correct their copies of said lists accordingly and proceed to revise and correct the registers under the provisions of section thirty-eight of chapter fifty-one of the General Laws. The board shall cause all applications and affidavits received by it under this section to be preserved for two years.

To correct errors in lists, etc.

SECTION 2. Section nine of said chapter twenty-nine is hereby amended by striking out, in the first line, the word "eighteenth", and inserting in place thereof the word: — twenty-fifth, — by striking out, in the second line, the word "April", and inserting in place thereof the word: — May, — and by striking out, in the seventh line, the word "male", so as to read as follows: — *Section 9.* The board shall, on or before the twenty-fifth day of May in each year, transmit to the election commissioners certified copies of those parts of the lists prepared as provided in the preceding section, containing the name, age, occupation and residence on the first day of April in the current year, and the residence on the first day of April in the preceding year, of every person, twenty years of age or upwards, residing in said city, and shall promptly transmit to the election commissioners notice of every addition to and correction in the lists made by it. The board shall furnish all information in its possession neces-

1917, 29 (G),
§ 9, amended.

Listing board in city of Boston to transmit copies of lists to election commissioners, etc.

sary to aid the election commissioners in the performance of their duties.

1917, 29 (G),
§ 10, amended.

Listing board
in city of
Boston to pre-
pare printed
copies of lists,
etc.

SECTION 3. Section ten of said chapter twenty-nine is hereby amended by striking out, in the second line, the word "June", and inserting in place thereof the word: — July, — so as to read as follows: — *Section 10.* The board shall, on or before the first day of July in each year, prepare printed copies of the lists prepared for the use of the election commissioners. The board shall print such lists in pamphlet form by precincts, deliver to the election commissioners as many copies thereof as they may require, and hold the remaining copies for public distribution.

1917, 29 (G),
§ 11, etc.,
amended.

Listing of
persons in city
of Boston not
previously
listed.

SECTION 4. Said chapter twenty-nine, as amended by chapter one hundred and forty-five of the acts of nineteen hundred and twenty, is hereby further amended by striking out section eleven and inserting in place thereof the following: — *Section 11.* If a person, twenty years of age or upward, resident in Boston on the first day of April, was not listed by the board, such person shall, in order to establish the right to be listed, in person present a statement in writing under oath to the election commissioners or assistant registrars at their principal office, who are hereby authorized to administer oaths for this purpose, that the applicant was on the first day of April a resident of said city, giving his or her name, age, occupation and residence on the first day of April in the current year, and his or her residence on the first day of April in the preceding year. A person, twenty years of age or upward, who becomes a resident of said city after the first day of April shall in person present a statement in writing under oath to the election commissioners or assistant registrars at their principal office, who are hereby authorized to administer oaths for this purpose, that the applicant became a resident of said city at least six months immediately preceding the election at which the applicant claims the right to vote, giving his or her name, age, occupation and his or her residence, and the date when said applicant became a resident, and his or her residence on the first day of April in the current year. The board of election commissioners shall forthwith transmit a copy of such statement to the police commissioner who shall detail an officer to verify the statement of the applicant as to residence, and shall report to the election commissioners within five days the result of the investigation of the officer. If the statement of the applicant as to residence is found to be true, the election commissioners

Certain persons
desiring to be
listed to pre-
sent a state-
ment in
writing, etc.

Election com-
missioners to
place names on

shall place the name of the applicant on the voting list; otherwise the election commissioners shall forthwith notify the applicant to appear before them, and, if not satisfied that the statement is true, shall not place the applicant's name upon the voting list; provided, that no application for registration under the provisions of this section shall be received by the election commissioners or assistant registrars later than the twentieth day preceding a state or municipal election.

voting lists if statement is true.

Proviso.

SECTION 5. Chapter eight hundred and thirty-five of the acts of nineteen hundred and thirteen, as amended in section seventy-six by section seven of chapter ninety-one of the General Acts of nineteen hundred and fifteen and by section twelve of said chapter twenty-nine, is hereby further amended by striking out said section seventy-six and inserting in place thereof the following: — *Section 76.* The election commissioners shall, after the first day of April in each year, prepare an annual register containing the names of all qualified voters in Boston for the current year, beginning with such first day of April. Such names shall be arranged by wards and precincts and, opposite the name of each voter, shall be entered his or her residence on the preceding first day of April or any subsequent day when the voter became a resident of said city. The election commissioners shall enter in the annual register every name contained in the lists, for the current year, of persons transmitted to them by the listing board, giving, as the residence of each person on the first day of April, the place at which such person was listed by said board; provided, that in every case they are able to identify the name so transmitted as that of a person whose name was borne on the voting list of said city at the last preceding election. In the year nineteen hundred and twenty-one the election commissioners shall enter in the annual register every name contained in the list of women voters as registered, qualified to vote in the city of Boston at the city election December fourteenth, nineteen hundred and twenty; provided, that in each case they are able to identify the name as that of a woman voter returned by the listing board as of April first of the current year. They shall make all inquiries and investigations necessary to identify such person, and they shall not enter in the annual register the name of a person objected to by any commissioner, until such person has been duly notified and given an opportunity to be heard by them, and shall have appeared and satisfied them of the

1913, 835, § 76, etc., amended.

Election commissioners of Boston to prepare annual register of voters.

Proviso.

To enter in register names of certain women voters.

Proviso.

To make necessary inquiries and investigations, etc.

right to have his or her name so entered. They shall forthwith enter in the annual register the name of every person whose qualifications as a voter have been determined by them in the current year and whose name has accordingly been entered in the general register. They shall, on or before the first Monday of August in each year, send notice in writing by mail to each voter of the preceding year whose name has not been entered in the annual register of the current year that the name of such voter has not been so entered.

G. L. 56, § 2,
amended.

SECTION 6. Section two of chapter fifty-six of the General Laws is hereby amended by inserting after the word "officer", in the first line, the words: — or interpreter, — and by striking out, in the third line, the word "male", and the words "or women voters", so as to read as follows: —

Penalty for
false listing in
Boston, Cam-
bridge, Chelsea
or Watertown.

Section 2. A member of the listing board or a police officer or interpreter in Boston, Cambridge, Chelsea or Watertown who knowingly enters on any list of persons, or causes, or allows to be entered thereon, or reports the name of any person as a resident of a building, who is not a resident thereof, shall be punished by imprisonment for not more than one year.

G. L. 56, § 5,
amended.

SECTION 7. Section five of said chapter fifty-six is hereby amended by striking out, in the first line, the word "male", and by inserting after the word "his", in the second and eighth lines, in each instance, the words: — or her, — so as to read as follows: — *Section 5.* Whoever, being an inmate of a building and a resident twenty years of age or upward, refuses or neglects to give his or her true name when asked by an assessor or assistant assessor or, in Boston, Cambridge, Chelsea or Watertown, by a member of the listing board or a police officer, or whoever, being an owner or occupant of a building, or a clerk, superintendent, manager or other person having in charge the affairs of a hotel or lodging house, refuses or neglects to give the full and true information within his or her knowledge relating to all persons residing in such building, when asked by such assessor or other officer, shall be punished by imprisonment for not more than three months.

G. L. 56, § 6,
amended.

SECTION 8. Section six of said chapter fifty-six is hereby amended by striking out, in the fourth line, the word "male", and by striking out, in the fifth line, the words "or women voters", so as to read as follows: — *Section 6.* Whoever knowingly gives to an assessor or assistant assessor, for the purpose of the assessment of a poll tax or in Boston, Cam-

Penalty for
giving false
information to
assessor,
etc.

bridge, Chelsea or Watertown to a member of the listing board or a police officer, for the purpose of making a list of residents twenty years of age or upward or a report under the laws relating to listing and registration of voters in said cities and town, the name of any person as a resident of a building, who is not a resident thereof, shall be punished by imprisonment for not more than one year.

Approved March 15, 1921.

AN ACT RELATIVE TO THE ELECTION COMMISSION IN THE CITY OF LOWELL. Chap. 115

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter one hundred and fifty-four of the acts of nineteen hundred and twenty is hereby amended by striking out the last sentence and inserting in place thereof the following:—The commission shall have the same powers and duties in relation to nominations, nomination papers, preparing and printing ballots, preparing for and conducting primaries, caucuses, counting, recounting, tabulating and determining votes cast at caucuses, primaries and elections, and all other matters relating to elections which have heretofore been exercised by the registrars of voters or the city clerk, — so as to read as follows:—

1920, 154, § 1, amended.

Section 1. There shall be established in the city of Lowell a bi-partisan election commission, hereinafter called the commission, which shall be composed of four members who shall have the powers and duties pertaining to registrars of voters in that city. The commission shall have the same powers and duties in relation to nominations, nomination papers, preparing and printing ballots, preparing for and conducting primaries, caucuses, counting, recounting, tabulating and determining votes cast at caucuses, primaries and elections, and all other matters relating to elections which have heretofore been exercised by the registrars of voters or the city clerk.

Election commission in city of Lowell, establishment, powers, duties, etc.

SECTION 2. Said chapter one hundred and fifty-four is hereby further amended by striking out section two and inserting in place thereof the following:—*Section 2.* The mayor shall during the month of February or March in the year nineteen hundred and twenty-two, and every year thereafter, appoint one member to the commission for a term of four years and until his successor is appointed and qualified.

1920, 154, § 2, amended.

Membership of commission.

The city clerk shall cease to be a member of the registrars of voters upon the passage of this act, but the remaining members of the present board of registrars of voters shall, unless removed in accordance with law, hold office as commissioners for the remainder of their respective terms, notwithstanding the provisions of this act. Any vacancy in the commission by reason of death, resignation or otherwise shall be filled forthwith by the mayor.

Vacancies.

1920, 154, § 4,
amended.

Commission
to supervise all
elections, etc.

Provisos.

Sessions for
registration of
voters.

Records open
to public
inspection,
unless, etc.

SECTION 3. Said chapter one hundred and fifty-four is hereby further amended by striking out section four and inserting in place thereof the following:— *Section 4.* The commission shall, under the provisions of law, have general supervision of all elections; the appointment, supervision and compensation of precinct officers; the location of polling booths; and may employ such persons as they may deem necessary in the performance of their duties; provided, however, that among the persons so employed after the passage of this act, the two dominant political parties shall at all times be equally represented; and provided, further, that nothing contained herein shall be construed as affecting present employees of the registrars of voters, who were employed by them as of January first, nineteen hundred and twenty. Whenever, in their opinion, public convenience or necessity so requires, the commission may order sessions for the registering of voters to be held in any of the several voting precincts, or at the office of the commission in the city hall, and they may require suitable accommodations and necessary records in connection therewith, and they may, furthermore, prepare voting lists of the voters in the several voting precincts by streets or by alphabetical order as provided in section fifty-five of chapter fifty-one of the General Laws. The commission shall at all times maintain suitable records which shall, unless it is otherwise provided by law, be open to public inspection.

SECTION 4. This act shall take effect upon its passage.

Approved March 15, 1921.

Chap. 116 AN ACT RELATIVE TO THE GRANTING OF LICENSES FOR THE
CATCHING OF LOBSTERS.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and thirty of the General Laws is hereby amended by striking out section one hundred and four and inserting in place thereof the following: —

Section 104. The clerk of any town in Essex, Middlesex, Suffolk, Norfolk, Plymouth, Barnstable, Bristol, Dukes or Nantucket county, situated on the shores of the commonwealth, shall grant licenses in the form prescribed and upon a blank furnished by the director, to catch or take lobsters from the waters of the commonwealth within three miles of the shores of the county where the town lies. Except as hereinafter provided, such licenses shall be granted only to individuals who are citizens of the commonwealth and who have resided therein for at least one year next preceding the date of the same. The clerk of any such town may grant such a license to any individual who is an alien and who resides in the county where the town lies; provided, that such alien has resided in said county, and has been actually engaged in lobster fishing therein, for five years next preceding the date of the license. A non-resident citizen of the United States temporarily residing in any town granting such licenses may, during June, July, August and September in each year, upon payment of the fee required by this section procure a license to take lobsters for consumption by the licensee and his family only. Licenses, except those granted to non-residents, shall expire on November thirtieth next succeeding the granting of the same unless sooner revoked as provided in the following section. The town clerk granting a license shall collect therefor a fee of one dollar, which, less fifteen cents to be retained by him, shall be forwarded to the director on the first Monday of the following month, together with coupons provided by the director for a description of the licensee and his buoys, and for such other information as may be required. All books of forms furnished to town clerks under this section shall be returned to the director on January first of each year. Each applicant for a license shall state the color scheme or other special markings of the buoys to be used by him which shall be set forth in his license, and all buoys used by him shall be marked accordingly and also with the licensee's initials or name which shall be branded or cut into the surface of the buoy. A licensee under this section shall at all times, while acting in pursuance of the license, exhibit his license upon the demand of any officer qualified to serve criminal process.

G. L. 130, § 104, amended.

Clerks of certain cities and towns to grant licenses to catch lobsters, etc.

Licenses for aliens.

Proviso.

Licenses for temporary non-residents, etc.

Expiration of licenses.

Fees.

Color, etc., of buoys to be stated, etc.

Licenses to be exhibited.

Eligibility of
certain aliens
to receive
license.

SECTION 2. The fact that an alien has been unable lawfully to engage in lobster fishing between December first, nineteen hundred and twenty and the time this act takes effect shall in no way affect his eligibility to receive a license under the preceding section. *Approved March 15, 1921.*

Chap.117 AN ACT RELATIVE TO RIGHTS OF WAY BY NECESSITY AS AFFECTING REGISTERED LAND.

Be it enacted, etc., as follows:

G. L. 185, § 53,
amended.

Section fifty-three of chapter one hundred and eighty-five of the General Laws is hereby amended by adding at the end thereof the following sentence: — Nor shall a right of way by necessity be implied under a conveyance of registered land, — so as to read as follows: — *Section 53.* No title to registered land, or easement or other right therein, in derogation of the title of the registered owner, shall be acquired by prescription or adverse possession. Nor shall a right of way by necessity be implied under a conveyance of registered land.

Approved March 15, 1921.

Chap.118 AN ACT AUTHORIZING THE TOWN OF READING TO ESTABLISH A BOARD OF PUBLIC WORKS.

Be it enacted, etc., as follows:

Town of
Reading, board
of public works
established.

SECTION 1. There shall be established in the town of Reading an unpaid board of public works, hereinafter called the board, to consist of five members. The initial members thereof shall be elected, one to serve for one year, two for two years, and two for three years, from the date of the meeting at which they are elected, if the same is an annual meeting, or from the date of the next annual meeting following their election, if elected at a special meeting, and thereafter when the term of any member expires his successor shall be elected to serve for three years. In all cases the members shall serve until their successors are elected and qualified. The members of the board shall, after each election, elect one of their number to act as chairman for the ensuing year. If a vacancy occurs therein, the remaining members, if they constitute a quorum, may fill such vacancy until the next annual town meeting, when a new member shall be elected to fill the unexpired term. No person shall serve on the board who holds another elective or appointive office in the town.

Chairman.

Vacancies,
how filled.

SECTION 2. The board shall have all the rights, powers, and liabilities vested in the selectmen, in respect to the laying out, construction, maintenance, and repair of streets, ways, bridges, sidewalks, monuments at the termini and angles of roads, and guide posts, and in the laying out, construction, maintenance and repair of drains, and in the granting of franchises or locations in public ways for electric or other railroads or street railways and pole locations including the authority vested in them as a board of survey under the provisions of chapter forty-one of the General Laws; and the board shall also have all the rights, powers, and liabilities vested in the water commissioners of said town, under chapter four hundred and five of the acts of eighteen hundred and eighty-nine, and acts in amendment thereof and in addition thereto, in the board of sewer commissioners under chapter three hundred and fourteen of the acts of nineteen hundred and nine, and acts in amendment thereof and in addition thereto, and in the board of park commissioners under chapter forty-five of the General Laws; and the acceptance of this act as hereinafter provided, shall be held an acceptance of said chapter forty-five of the General Laws, notwithstanding that such chapter requires the acceptance thereof by written ballot and the use of the voting list. Upon the election and qualification of the members of the board it shall succeed to the rights, privileges, duties and liabilities, as herein set forth, and thereupon the board of sewer commissioners, the board of water commissioners, and the board of park commissioners, in said town of Reading, shall cease to exist, and the board of selectmen of said town shall cease to have any authority relative to streets and drains in said town, as herein provided; and it shall be the duty of the selectmen in relation to streets and drains, and of said water commissioners, sewer commissioners, and park commissioners relative to their respective departments, to turn over to said board of public works all contracts, papers, documents, plans, and other property of any kind or nature whatsoever then in their custody.

Certain powers, etc., vested in selectmen, etc., transferred to the board of public works.

Existence of certain town boards terminated, etc.

SECTION 3. The initial election of the board may occur at an annual or special town meeting. If elected at an annual meeting the members shall be nominated and elected in the same manner as other town officers; if at a special meeting they shall be elected by secret ballot in the same manner in every respect as town officers at annual town elections. Nominations of candidates for such election at a

Nomination and election of board of public works.

Proviso. special meeting shall be made by a writing, signed by fifteen registered voters naming a person or persons as candidates. Such writing shall be filed with the town clerk ten days at least before the date of the election, and thereupon the names of the nominees appearing thereon shall be placed upon the official ballot to be used at such election, provided that registered voters of the town whose names do not appear on the official ballot may be elected to the board at such special meeting.

Superintendent of public works, appointment, etc.

SECTION 4. The board shall, as soon as practicable after every election thereto, appoint an agent who shall be known as the superintendent of public works and shall be the administrative head of all departments of the town coming within the board's supervision. He shall be subject to the direction and supervision, and shall hold office at the will of the board, shall be specially fitted by education, training, or experience to perform the duties of said office, shall be chosen irrespective of his political opinions, and may or may not be a resident of the town. During his tenure he shall hold no other elective or appointive office, nor shall he be engaged in any other business or occupation. He shall be responsible for the efficient administration of all departments within the scope of his duty. He shall give bond to the town for the faithful performance of his duties in such sum, with such conditions and with such surety or sureties as the board may require and approve. The expense of procuring a surety

Bond and expense therefor.

Appointment of assistants, agents, etc.

company as surety thereon shall be paid by the town. The superintendent shall, subject to the approval of the board, appoint such assistants, agents, and employees as the performance of the duties of the various departments under his supervision shall require. He shall collect all moneys payable to the board, and in the collection of money and other properties, and in the handling or disposition of funds, he shall specifically designate certain persons to assist him, if necessary, and the persons so designated shall give a bond, if the board so requires, at the expense of the town. The superintendent shall keep full and complete records of the doings of his office, and render to the board as often as it may require, a full report of all operations during the period reported upon; and annually or from time to time as required by the board, he shall make a synopsis of all reports for publication. The superintendent shall keep the board fully advised as to the needs of the town within the scope of his duties, and shall furnish to the board on or before the

Records, annual reports, etc.

fifteenth day of January in each year, a carefully prepared and detailed estimate in writing of the appropriations required during the ensuing fiscal year for the proper conduct of all departments of the town under his supervision.

SECTION 5. This act shall take effect upon its passage so far as it provides for its submission to the voters of the town of Reading for their acceptance, but it shall not take further effect until it has been accepted by a majority of the voters of said town present and voting thereon, at an annual or special town meeting, and at the meeting when so accepted, a date may be fixed for the election of the members of said board as aforesaid, and in anticipation thereof, the following article shall be inserted in the warrant for such meeting: — "To fix a date for the election of members to the board of public works if the act to establish the same is accepted", and the first election of members to the board shall be held on the date so fixed, and forthwith upon the official announcement of the results of such election and the qualification of its members, the board, as provided for herein, shall be deemed to be duly established. *Approved March 15, 1921.*

To be submitted to voters, etc.

AN ACT TO INCORPORATE THE CITY OF GARDNER.

Chap. 119

Be it enacted, etc., as follows:

SECTION 1. The inhabitants of the town of Gardner shall continue to be a body corporate and politic under the name of the City of Gardner, and as such shall have, exercise and enjoy all the rights, immunities, powers and privileges, and shall be subject to all the duties, liabilities and obligations provided for herein or by statute, or otherwise pertaining to cities as municipal corporations.

City of Gardner incorporated.

SECTION 2. Upon the acceptance of this act, the selectmen of the town then in office shall forthwith divide the territory of the town into five wards, so that the wards will contain, as nearly as may be consistent with well defined limits, an equal number of voters, and they shall designate the wards by numbers. The number of wards may, in any year fixed by law for a new division of wards in cities, be changed by vote of the city council, with the assent of the mayor; but the number of wards shall not be less than five.

Division into wards, etc.

The selectmen, for the purposes of the first preliminary election and the first regular city election, after the acceptance of this act, shall provide suitable polling places and give notice thereof, and shall at least ten days before said pre-

First preliminary and annual elections, polling places, election officers, etc.

Duties of
town clerk.
Lists of voters.

First meeting
of mayor,
council and
school
committee.

Mayor, election,
term, etc.

City council,
election,
terms, etc.

liminary election appoint all proper election officers therefor and for said regular city election; and they shall in general have the powers and perform the duties of the board of aldermen in cities under the General Laws, the provisions of which, so far as may be applicable, shall apply to said elections; and the town clerk shall perform the duties therein assigned to city clerks. The registrars shall cause to be prepared and published, according to law, lists of qualified voters in each of the wards established by the selectmen.

SECTION 3. The selectmen shall notify the persons elected at the said first regular city election and shall provide and appoint a place for the first meeting of the mayor and council on the first Monday in January, next ensuing; and shall, by written notice, left at their respective places of residence at least twenty-four hours prior to such meeting, notify the mayor elect and the councilmen elect, who shall immediately proceed to organize and carry into effect the provisions of this act, which shall thereupon have full force and effect. The selectmen shall, in like manner, appoint a place and time for the first meeting of the school committee, and shall notify the members thereof.

SECTION 4. There shall be a mayor, elected by and from the qualified voters of the city, who shall be the chief executive officer of the city. He shall hold office for the term of two years from the first Monday in January following his election and until his successor is elected and qualified.

SECTION 5. The legislative powers of the city shall be vested in a city council. The city council shall be composed of not less than eleven members, of whom one shall be elected from each ward by and from the qualified voters of that ward, and the remaining members shall be elected at large by and from the qualified voters of the city. One of its members shall be elected annually by the council as its president. At the first regular city election after the acceptance of this act the councillors elected from each ward shall serve for one year and those elected at large for two years, from the first Monday in January following their election and until their successors are elected and qualified. At each regular city election thereafter, their respective successors shall be elected to serve for two years. If the number of wards shall be increased, as provided in section two, the number of councillors shall also be increased, so that the number of councillors elected at large shall always exceed by one the number elected by wards.

SECTION 6. All heads of departments and members of municipal boards, except the school committee, the city clerk, city treasurer, city auditor and city collector of taxes, officers whose election is provided for by this act and officials appointed by the governor, shall be appointed by the mayor, subject to confirmation by the city council; but the city solicitor shall be appointed by the mayor, without confirmation by the city council.

Appointments
by mayor.

SECTION 7. In making his appointments the mayor shall sign and file with the city clerk a certificate in the following form:

CERTIFICATE OF APPOINTMENT.

I appoint (name of appointee) to the position of (name of office), and I certify that in my opinion he is a recognized expert in the work which will devolve upon him, and that I make the appointment solely in the interest of the city.

Certificates of
appointment.

Mayor.

or the following form, as the case may be:

CERTIFICATE OF APPOINTMENT.

I appoint (name of appointee) to the position of (name of office), and I certify that in my opinion he is a person specially fitted by education, training or experience to perform the duties of said office, and that I make the appointment solely in the interest of the city.

Mayor.

SECTION 8. The mayor may, with the approval of a majority of the members of the city council, remove any head of a department or member of a board before the expiration of his term of office, except members of the school committee, officers elected by the city council, officers whose election is provided for by this act, and officials appointed by the governor. The person so removed shall receive a copy of the reasons for his removal in writing; and he may contest the same at a hearing to be given by the city council, at which he shall have the right to be represented by counsel.

Removal of
certain officials.

SECTION 9. The city clerk, city treasurer, city auditor and city collector of taxes shall be elected by the city council for terms of three years and may be removed at any time by a two thirds vote of the city council.

Election, etc.,
of certain
officials by city
council.

SECTION 10. Until superseded under the provisions of this act or by action of the city council, the organization

Organization of
departments,
powers and

duties of
officers and
employees, etc.

of the executive and administrative departments, and the powers and duties of the officers and employees of said town, shall remain as constituted at the time when this act takes full effect as provided in section three, but the city council may from time to time by ordinance, subject to the provisions of this act and in accordance with the general laws, reorganize, consolidate or abolish departments, in whole or in part; may transfer the duties, powers and appropriations of one department to another, in whole or in part; may establish new departments; and may increase, reduce, establish or abolish salaries of heads of departments or members of boards. Nothing in this section shall authorize any action in conflict with the civil service laws and the rules and regulations made thereunder.

No action to
conflict with
civil service
laws, etc.

Mayor, salary.

SECTION 11. The mayor shall receive for his services such salary as the city council by ordinance shall determine, not exceeding fifteen hundred dollars a year, and he shall receive no other compensation from the city. His salary shall not be increased or diminished during the term for which he is elected.

Council, salary.

The council may, by a two thirds vote of all its members, taken by call of the yeas and nays, establish a salary for its members not exceeding two hundred dollars each year. Such salary may be reduced, but no increase therein shall be made to take effect during the year in which the increase is voted.

Preliminary
election for
nominations,
date, etc.

SECTION 12. On the third Tuesday preceding every regular and special city election at which any officer mentioned in this act is to be elected, there shall be held a preliminary election for the purpose of nominating candidates for such offices as, under the provisions of this act, are to be filled at such election. Voters qualified to vote at a regular city election shall be qualified to vote at a preliminary election. No special election for mayor or any other officer shall be held until after the expiration of forty days from the calling of the preliminary election.

What names
to be printed
on official
ballots.

SECTION 13. Any person who is qualified to vote for a candidate for any office mentioned in this act, and who is a candidate for nomination for that office, may have his name as such candidate printed on the official ballot to be used at a preliminary election; provided that at least ten days prior to the preliminary election, he shall file with the city clerk a statement in writing of his candidacy, and with it the petition of at least fifty voters of the city, qualified to vote for a candidate for the said office. Said statement and petition shall be in substantially the following form:

Proviso.

STATEMENT OF CANDIDATE.

I, (), on oath declare that I reside at (number if any) on (name of street) in the city of Gardner; that I am a voter therein, qualified to vote for a candidate for the hereinafter mentioned office; that I am a candidate for nomination for the office of (state the office) for (state the term) to be voted for at the preliminary election for nominations to be held on Tuesday, the day of , nineteen hundred and , and I request that my name be printed as such candidate on the official ballots to be used at said preliminary election.

Form of statement of candidate.

(Signed)

Commonwealth of Massachusetts. Worcester, ss.
Subscribed and sworn to this day of
, nineteen hundred and , before
me,

(Signed)

Justice of the Peace
or (Notary Public).

My commission expires

PETITION ACCOMPANYING STATEMENT OF CANDIDATE.

Whereas (name of candidate) is a candidate for nomination for the office of (state the office) for (state the term), we the undersigned, voters of the city of Gardner, duly qualified to vote for a candidate for said office, do hereby request that the name of said (name of candidate) as a candidate for nomination for said office be printed on the official ballots to be used at the preliminary election to be held on the Tuesday of , nineteen hundred and . We further state that we believe him to be of good moral character and qualified to perform the duties of the office.

Form of petition accompanying statement of candidate.

No acceptance by a candidate for nomination named in the said petition shall be necessary for its validity or for its filing, and the petition need not be sworn to. The petition may be on one or more papers.

Acceptance and oath not necessary.

SECTION 14. On the first day, not being Sunday or a legal holiday following the expiration of the time for filing the above-described statements and petitions, the city clerk shall post in a conspicuous place in the city hall the names

Names of candidates, when to be posted.

and residences of the candidates for nomination who have duly filed the above-mentioned statements and petitions, as they are to appear on the official ballots to be used at the preliminary election, except as to the order of the names, and shall cause the ballots to be printed, and the ballots so prepared shall be the official ballots and the only ballots used at the preliminary election. They shall be headed as follows:

Printing of
ballots.

OFFICIAL PRELIMINARY BALLOT.

Official pre-
liminary ballot,
heading.

Candidates for nomination for the offices of ()
in the city of Gardner. At a preliminary election to be
held on the day of , in the year
nineteen hundred and .
(The heading shall be varied in accordance with the office
for which nominations are to be made.)

Names on
ballot, order,
etc.

SECTION 15. The name of each person, and of none other, who has filed a statement and accompanying petition as aforesaid with his residence and the title and term of the office for which he is a candidate for nomination, shall be printed on said ballots under the designation of said office in the order in which they may be drawn by the city clerk, whose duty it shall be to make such drawing and to give each candidate an opportunity to be present in person or by one representative. Blank space shall be left at the end of each list of candidates for nomination for the different offices equal to the number to be nominated therefor, in which the voter may insert the name of any person not printed on the ballot for whom he desires to vote for nomination for such office. There shall be printed on said ballots such directions as will aid the voter, as to wit: "vote for one", "vote for two", and the like.

Blank spaces
to be left on
ballots, etc.

Party or politi-
cal designa-
tions, etc.,
prohibited.

SECTION 16. No ballot used at any preliminary, special or regular city election shall have printed thereon any party or other political designation or mark, and there shall not be appended to the name of any candidate any such party or other political designation or mark, or anything showing how he was nominated, or indicating his views or opinions.

Counting of
ballots and
return of
votes.

SECTION 17. The election officers shall, immediately upon the closing of the polls at preliminary elections, count the ballots and ascertain the number of votes cast in the voting places where they officiate for each person for nomination for each office, and shall forthwith make return thereof to

the city clerk upon blanks to be furnished as in regular city elections.

SECTION 18. On the first day, not being Sunday or a legal holiday, following the preliminary election, the city clerk shall canvass the returns received from the election officers, and shall forthwith determine the result of the canvass and publish the same in one or more newspapers published in the city, and shall post the same in a conspicuous place in the city hall.

Canvass and publication of returns.

SECTION 19. The two persons receiving at a preliminary election the highest and second highest number of votes, respectively, for any office, shall be the candidates and the only candidates for that office whose names shall be printed on the official ballots to be used at the succeeding regular or special city election. If two or more persons are to be elected to the same office at such regular or special city election, the several persons, to a number equal to twice the number so to be elected to such office, receiving the highest number of votes for nomination for that office, or all such persons if less than twice the number of those so to be elected, shall be candidates, and except as otherwise provided herein the only candidates, for that office whose names shall be printed on the official ballots to be used at such regular or special city election.

Nominations, how determined.

The names shall be printed on the ballots under the designation of the respective offices for which they are candidates in the order in which they may be drawn by the city clerk, as provided in section fifteen. In case two or more persons should receive an equal number of votes for the same office at any preliminary election held under this act and one of such persons would otherwise be entitled to have his name upon the official ballot then the names of all such persons shall be placed on the ballot.

Candidates' names to be printed on ballots, etc.

Tie vote.

SECTION 20. If at the expiration of the time for filing statements of candidates to be voted for at any preliminary election not more than twice as many such statements have been filed with the city clerk for the office of mayor, councillor at large, or school committee as there are candidates to be elected to said offices respectively, the candidates whose statements have thus been filed shall be deemed to have been nominated to said offices respectively, and their names shall be used at such regular or special city election, and the city clerk shall not print said names upon the ballot to be used at said preliminary election, and no other nomination to said

When insufficient number of statements have been filed, candidates filing statements to be deemed to have been nominated, etc.

Candidates in any ward, when deemed to have been nominated, etc.

Preliminary elections, when not to be held.

Acceptance of nomination not necessary.

City election, date, etc.

Mayor and council, when to be sworn, etc.

Legislative powers of council.

Voting powers, quorum, etc.

offices shall be made. And if in any ward, at the expiration of the time for filing statements of candidates to be voted for at any preliminary election, not more than twice as many such statements have been filed with the city clerk for the office of councillor from such ward as are to be elected, the candidates whose statements have thus been filed shall be deemed to have been nominated, and their names shall be printed on the official ballot to be used at such regular or special city election, and the city clerk shall not print said names upon the ballot to be used at said preliminary election, and no other nominations to said offices shall be made. And if it shall appear that no names are to be printed upon the official ballot to be used at any preliminary election, in any ward or wards of the city, no preliminary election shall be held in such ward or wards.

SECTION 21. No acceptance of a nomination made at a preliminary election shall be necessary for its validity.

SECTION 22. The first regular city election shall take place on the Tuesday following the first Monday in December, following the acceptance of this act, and thereafter the regular city election shall take place annually on the Tuesday next following the first Monday of December, and the municipal year shall begin and end on the first Monday of January in each year. The first preliminary election shall take place on the Tuesday following the second Monday in November, following the acceptance of this act.

SECTION 23. On the first Monday in January the mayor-elect and the councillors-elect shall meet and be sworn to the faithful discharge of their duties. The oath may be administered by the city clerk or by any justice of the peace, and a certificate that the oath has been taken shall be entered on the journal of the city council. At any meeting thereafter the oath may be administered, in the presence of the city council, to the mayor, or to any councillor absent from the meeting on the first Monday in January.

SECTION 24. Except as provided in this section, the legislative powers of the city council may be exercised as provided by ordinance or rule adopted by it.

1. Except as otherwise provided in this act, every member of the council shall have the right to vote on any question coming before it. A majority of the council shall constitute a quorum, and the affirmative vote of a majority of all the members of the council shall be necessary to adopt any motion, resolution or ordinance.

2. The city council shall, from time to time, establish rules for its proceedings. Regular and special meetings of the council shall be held at a time and place fixed by ordinance. All legislative sessions shall be open to the public, and every matter coming before the council for action shall be put to vote, the result of which shall be duly recorded. A full and accurate journal of the proceedings of the council shall be kept, and shall be open to the inspection of any registered voter of the city.

Rules, meetings, etc.

3. The city clerk shall have such powers and perform such duties as the council may from time to time prescribe, in addition to such duties as may be prescribed by law. He shall keep the records of the meetings of the council.

City clerk, powers, duties, etc.

SECTION 25. The city council may at any time request from the mayor specific information upon any municipal matter within its jurisdiction, and may request his presence to answer written questions relating thereto at a meeting to be held not earlier than one week after the date of the receipt by the mayor of said questions. The mayor shall personally, or through a head of a department or a member of a board, attend such meeting and publicly answer all such questions. The person so attending shall not be obliged to answer questions relating to any other matter. The mayor at any time may attend and address the city council in person, or through the head of a department or a member of a board, upon any subject. The council, or any committee thereof duly authorized by the council so to do, may investigate the financial transactions of any office or department of the city government, and the official acts and conduct of any official, and, by similar investigations, may secure information upon any matter.

Council may request information of mayor, etc.

May investigate financial transactions, etc.

SECTION 26. No ordinance shall be passed finally on the date on which it is introduced, except in cases of special emergency involving the health or safety of the people or their property.

Passage of ordinances.

No ordinance shall be regarded as an emergency measure unless the emergency is defined and declared in a preamble thereto separately voted on and receiving the affirmative vote of two thirds of the members of the city council.

Emergency measures to be defined.

No ordinance making a grant, renewal or extension, whatever its kind or nature, of any franchise or special privilege shall be passed as an emergency measure, and, except as provided in sections seventy and seventy-one of chapter one hundred and sixty-four of the General Laws and in chapter

Granting of franchises, etc.

one hundred and sixty-six thereof, no such grant, renewal or extension shall be made otherwise than by ordinance.

Amendment
or nullification
of ordinances.

SECTION 27. No ordinance, or part thereof, shall be amended or annulled except by an ordinance adopted in accordance with the provisions of this act.

Passage at
one session.
Proviso.

SECTION 28. Any ordinance, order or resolution may be passed through all its stages of legislation at one session, provided that no member of the council objects thereto; but if any member of the council objects, further action on the measure shall, unless it is an emergency measure as defined in section twenty-six, be postponed for that meeting.

Ordinances,
etc., to be
published.

SECTION 29. Every proposed ordinance or loan order, except emergency measures as hereinbefore defined, shall at least ten days before its final passage, be published in full in at least one newspaper of the city, and in any additional manner that may be provided by ordinance.

After final passage, it shall, in the same manner as before, again be published once, as amended and completed, except in the case of an emergency ordinance which may be passed as hereinbefore provided and which shall take effect on its passage, and shall so be published at the earliest practicable moment.

Orders, ordi-
nances, votes,
etc., to be
approved by
mayor.

SECTION 30. Every order, ordinance, resolution and vote relative to the affairs of the city, adopted or passed by the city council, shall be presented to the mayor for his approval. If he approves it he shall sign it; if he disapproves it he shall return it, with his objections in writing, to the city council, which shall enter his objections at large on its records, and again consider it. If the city council, notwithstanding such disapproval of the mayor, shall again pass such order, ordinance, resolution or vote by a two thirds vote of all the members of the city council, it shall then be in force, but such vote shall not be taken for seven days after its return to the city council. Every such order, ordinance, resolution or vote shall be in force if it is not returned by the mayor within ten days after it was presented to him. This section shall not apply to budgets submitted under section thirty-two of chapter forty-four of the General Laws or to appropriations by the city council under section thirty-three of said chapter.

Civil service
laws not to
apply to cer-
tain appointees
of mayor.

SECTION 31. The civil service laws shall not apply to the appointment of the mayor's secretaries nor of stenographers, clerks, telephone operators and messengers connected with his office, and the mayor may remove such appointees without

a hearing and without making a statement of the cause for their removal.

SECTION 32. If a vacancy occurs in the office of mayor or in the city council before the last six months of the term of office, the city council shall order an election to fill the same for the unexpired term; and if such vacancy occurs in the office of mayor in the last six months of said term, the president of the city council shall succeed thereto for the unexpired term.

Certain vacancies, how filled.

If the mayor is absent or unable from any cause temporarily to perform his duties, or if his office is vacant during the first eighteen months of his term, his duties shall be performed by the president of the city council. The person upon whom such duties shall devolve shall be called "acting mayor", and he shall possess the powers of mayor only in matters not admitting of delay, but shall have no power to make permanent appointments.

President of city council as "acting mayor", powers, duties, etc.

Should an appointive officer of the city be temporarily unable for any cause to perform his duties, the mayor or the city council, whichever has the power of original appointment, may make a temporary appointment of some person to act until the official shall resume his duties.

Temporary appointments.

SECTION 33. It shall be unlawful for the mayor or for a member of the city council or school committee or for any officer or employee of the city, directly or indirectly, to make a contract with the city, or to receive any commission, discount, bonus, gift, contribution, or reward from or any share in the profits of any person or corporation, making or performing such a contract, unless the mayor, such member, officer or employee, immediately upon learning of the existence of such contract, or that such a contract is proposed, shall notify in writing the mayor, city council or school committee of the nature of his interest in such contract, and shall abstain from doing any official act on behalf of the city in reference thereto. In case of such interest on the part of an officer whose duty it is to sign the contract on behalf of the city, the contract may be signed by any other officer of the city duly authorized thereto by the mayor, or if the mayor has such interest, by the city clerk, provided, however, that when a contractor with the city is a corporation or a voluntary stock association, the ownership of less than five per cent of the stock or shares actually issued shall not be considered as involving an interest in the contract within the meaning of

Certain officials not to make or share in contracts with city, unless, etc.

Contracts in such cases, how signed.

Proviso.

this section, and such ownership shall not affect the validity of the contract unless the owner of such stock or shares is also an officer or agent of the corporation or association, or solicits or takes part in the making of the contract.

Penalty for violation.

A violation of this section shall render the contract in respect to which such violation occurs voidable at the option of the city. Any person violating the provisions of this section shall be punished by a fine of not more than one thousand dollars, or by imprisonment for not more than one year, or by both such fine and imprisonment.

Proposals for certain contracts to be advertised.

SECTION 34. No contract for construction work or for the purchase of apparatus, supplies or materials, whether the same shall be for repairs or original construction, the estimated cost of which amounts to or exceeds two hundred dollars, except in cases of special emergency involving the health or safety of the people or their property, shall be awarded unless proposals for the same shall have been invited by advertisements in at least one newspaper published in the city once a week for at least two consecutive weeks, the last publication to be at least one week before the time specified for the opening of said proposals. Such advertisements shall state the time and place where plans and specifications of the proposed work or supplies may be had and the time and place for opening the proposals in answer to said advertisements, and shall reserve to the city the right to reject any or all of such proposals. All such proposals shall be opened in public. No bill or contract shall be split or divided for the purpose of evading any provision of this act.

Contracts not to be split, etc.

Certain contracts to be approved by mayor, etc.

SECTION 35. All contracts made by any department, board or commission in which the amount involved is two hundred dollars or more shall be in writing, and no such contract shall be deemed to have been made or executed until the approval of the mayor and of the department or board making the contract is affixed thereto. Any contract made as aforesaid may be required to be accompanied by a bond with sureties satisfactory to the board or officials having the matter in charge, or by a deposit of money, certified check or other security conditioned on the faithful performance thereof, and such bonds or other securities shall be deposited with the city treasurer until the contract has in all respects been carried out; and no such contract shall be altered except by a written agreement of the contractor, the sureties on his bond, and the officer, department or board

Bond or other security to accompany contracts, etc.

making the contract, with the approval of the mayor affixed thereto.

SECTION 36. At the request of any department, the city council may, with the approval of the mayor, acquire by purchase, or take by eminent domain under chapter seventy-nine of the General Laws in the name of the city, for any municipal purpose, any land or interest therein within the limits of the city not already appropriated to public use. Whenever the price proposed to be paid for land for any municipal purpose is more than twenty-five per cent higher than its average assessed valuation during the previous three years, said land shall not be purchased, but shall be taken by eminent domain and paid for in the manner provided for the payment of damages for land taken under said chapter seventy-nine. The city council shall estimate the damages, if any, sustained by persons in their property by such taking, and shall state the share of each separately. No land shall be taken until an appropriation by loan or otherwise for the general purposes for which land is needed shall have been made by the city council by a two thirds vote of all its members and approved by the mayor; nor shall a price be paid in excess of said estimated damages unless a larger sum is awarded by a court of competent jurisdiction.

Council may take land for municipal purposes, etc.

SECTION 37. The school committee shall consist of the mayor, who shall be the chairman, and six members who shall be elected at large. At the first annual city election held after the acceptance of this act, there shall be elected two members to serve for one year, two for two years and two for three years, and annually thereafter there shall be elected two members to serve for the term of three years.

School committee, election, term, etc.

SECTION 38. The school committee shall elect annually a superintendent of schools except as provided in section forty-one of chapter seventy-one of the General Laws, and may, under the laws regulating the civil service, appoint, suspend or remove such subordinate officers or assistants, including janitors of school buildings, as it may deem necessary for the proper discharge of its duties and the conduct of its business; it shall define their terms of service and their duties, and shall fix their compensation. No member of the school committee, except the mayor, shall, during the term for which he is elected, hold any other office or position the salary or compensation for which is payable out of the city treasury. The committee shall organize annually on Tuesday following the first Monday in January, and shall elect

Superintendent of schools, election, etc., and appointment of certain subordinate officers, etc.

School committee, organization, etc.

one of its members as vice-chairman, whose duty it shall be to preside at all meetings of the committee at which the mayor is not present.

Powers and duties.

SECTION 39. The school committee, in addition to the powers and duties pertaining by law to school committees, shall have power to provide, when they are necessary, temporary accommodations for school purposes, and shall have the control of all school buildings and of the grounds connected therewith, and the power to make all repairs, the expenditures for which are made from the regular appropriation for the school department, except as is otherwise provided herein.

To approve plans, etc., for school buildings.

SECTION 40. No site for a school building shall be acquired by the city unless approval of the site by the school committee is first obtained. No plans for the construction or alteration of a school building shall be accepted, and no work shall be begun on the construction or alteration of a school building, unless the approval of the school committee and the mayor therefor is first obtained; but such approval shall not be required for the making of ordinary repairs.

To make rules and regulations.

SECTION 41. The school committee shall make all reasonable rules and regulations for the management of the public schools of the city and for conducting the business of the committee, provided that such rules are not inconsistent with any laws of the commonwealth.

Proviso.

Meetings to be public, except, etc.

SECTION 42. All meetings of the school committee shall be open to the public, except that when requested by not less than four members of the committee, any particular meeting shall be private. The vote on any particular measure shall be by the call of yeas and nays, when it is so requested by not less than two members of the committee.

Vacancies, how filled.

SECTION 43. If a vacancy occurs in the school committee by failure to elect, or otherwise, the city council and the remaining members of the school committee shall meet in joint convention and elect a suitable person to fill the vacancy until the next regular city election. The mayor, if present, shall preside at the convention.

Initiative petition for passage of a "measure".

SECTION 44. A petition meeting the requirements hereinafter specified and requesting the city council to pass an ordinance, resolution, order or vote, except an order granted under the provisions of chapters one hundred and sixty-four and one hundred and sixty-six of the General Laws or requesting the school committee to pass a resolution, order or vote, all of these four terms being hereinafter included in the term "measure", therein set forth or designated, shall be

termed an initiative petition, and shall be acted upon as hereinafter provided.

SECTION 45. Signatures to initiative petitions need not be all on one paper. All such papers pertaining to any one measure shall be fastened together, and shall be filed in the office of the city clerk as one instrument, with the endorsement thereon of the names and addresses of three persons designated as filing the same. With each signature to said petition shall be stated the place of residence of the signer, giving the street and number, if any.

Signatures to initiative petitions.

Within five days after the filing of said petition the registrars of voters shall ascertain by what number of registered voters the petition is signed, and what percentage that number is of the total number of registered voters, and shall attach thereto their certificate showing the result of such examination.

Certification by registrars of voters.

The city clerk shall forthwith transmit the said certificate with the said petition to the city council or to the school committee, accordingly as the petition is addressed, and at the same time shall send a copy of said certificate to one or more of the persons designated on the petition as filing the same.

Certificates to be sent to council, etc.

SECTION 46. If an initiative petition be signed by registered voters equal in number, except as otherwise provided in this act, to at least twenty per cent of the whole number of registered voters, the city council or the school committee shall, within twenty days after the date of the certificate of the registrars of voters that the petition has been signed by the required percentage of registered voters, either —

Action by council or school committee if initiative petition be properly signed.

1. Pass said measure without alteration, subject to the referendum vote provided by this act, or

Passage.

2. The city council shall call a special election to be held on a Tuesday fixed by it not less than thirty nor more than forty-five days after the date of the certificate hereinbefore mentioned, and shall submit the proposed measure without alteration to a vote of the registered voters of the city at that election, provided, however, that if any regular city election is otherwise to occur within ninety days after the date of said certificate, the city council may, at its discretion, omit calling the special election and submit the proposed measure to the voters at such other election.

Referendum to voters.

Proviso.

SECTION 47. If an initiative petition be signed by registered voters equal in number to at least eight per cent but less than twenty per cent of the total number of registered

Referendum, when petition fails.

voters, and said measure be not passed without alteration within twenty days by the city council or the school committee, as provided in the preceding section, then such proposed measure, without alteration, shall be submitted by the city council to a vote of the registered voters of the city at the next regular city election.

Referendum petition as to passage of a "measure or part thereof protested against", etc.

SECTION 48. If within twenty days after the final passage of any measure by the city council or by the school committee, a petition signed by registered voters of the city, equal in number to at least twelve per cent of the total number of registered voters, be presented to the city council or to the school committee, as the case may be, protesting against such measure or any part thereof taking effect, the same shall thereupon and thereby be suspended from taking effect; and the city council or the school committee, as the case may be, shall immediately reconsider such measure or part thereof; and if such measure or part thereof be not entirely annulled, repealed or rescinded, the city council shall submit the same, by the method herein provided, to a vote of the qualified voters of the city, either at the next regular city election, or at a special election which may, in its discretion, be called for the purpose, and such measure or part thereof shall forthwith become null and void unless a majority of the qualified voters voting on the same at such election shall vote in favor thereof. The petition provided for by this section shall be termed a referendum petition.

Procedure, etc.

The procedure in respect to the referendum petition shall be the same as that provided by section forty-five of this act, except that the words "measure or part thereof protested against" shall for this purpose be understood to replace the word "measure" in that section wherever it may occur, and that the word "referendum" shall be understood to replace the word "initiative" in that section.

Council may submit measures to voters of its own motion, etc.

SECTION 49. The city council may of its own motion, and shall upon request of the school committee in case of a measure originating with that committee and pertaining to the affairs under its administration, submit to a vote of the registered voters of the city for adoption or rejection at a regular or special city election any proposed measure, or a proposition for the annulment, repeal or amendment of any measure, in the same manner and with the same force and effect as are hereby provided for submission on petition.

Measures with conflicting provisions.

SECTION 50. If two or more proposed measures passed at the same election contain conflicting provisions, that one of said measures which received the largest number of af-

firmative votes shall take effect and the other shall be void.

SECTION 51. The ballots used in voting upon such proposed measure shall state the nature of the measure in terms sufficient to show the substance thereof. No measure shall go into effect unless it receives the affirmative votes of at least a third of the whole number of registered voters.

Ballots to show nature of measure, etc.

SECTION 52. All official bonds, recognizances, obligations, contracts and all other instruments entered into or executed by or to the town of Gardner before the organization of the city government under this act and all taxes, special assessments, fines, penalties, forfeitures incurred or imposed, due or owing to the town, shall be enforced and collected, and all writs, prosecutions, actions and causes of action, except as herein otherwise provided, shall continue without abatement and remain unaffected by this act; and no legal act done by or in favor of the town shall be rendered invalid by the acceptance of this act.

Existing obligations, contracts, taxes, penalties, etc., to be enforced, etc.

All laws, by-laws, rules and regulations, general or special, relating to the town of Gardner, in force at the time when this act takes full effect, shall, until altered, amended or repealed, continue in force in the city of Gardner, so far as the same are not inconsistent herewith.

All laws, etc., to continue in force, until, etc.

SECTION 53. This act shall be submitted to the voters of the town of Gardner at the annual town election in March in the year nineteen hundred and twenty-two for their acceptance. At such election the polls shall be open not less than eight hours; and the vote shall be taken by ballot, in accordance with the provisions of the General Laws so far as the same shall be applicable and not inconsistent herewith, in answer to the following question which shall be placed upon the official ballot used for the election of town officers: "Shall an act passed by the general court in the year nineteen hundred and twenty-one, entitled 'An Act to incorporate the city of Gardner', be accepted?" If a majority of the voters present and voting thereon vote to accept this act then the same shall take effect; but not otherwise.

To be submitted to voters, etc.

Approved March 15, 1921.

AN ACT TO PROVIDE FOR THE PARTICIPATION OF THE COUNTY IN THE REPAIR AND IMPROVEMENT OF PUBLIC WAYS. *Chap.120*

Be it enacted, etc., as follows:

SECTION 1. Chapter eighty-one of the General Laws is hereby amended by inserting after section twenty-six the

G. L. 81, new section after § 26.

Counties may contribute, etc., for repair and improvement of public ways in small towns.

Counties not to be liable for defects, etc.

G. L. 84, new section after § 11.

Counties may aid in maintenance of public ways constructed or improved by county funds, etc.

Counties not to be liable for defects, etc.

following new section:—*Section 26A.* The county commissioners of the county wherein any public way is to be repaired or improved under the provisions of the preceding section may contribute and expend county funds therefor in accordance with such agreements as the commissioners may make with the division and the selectmen of the town. Said county funds may be paid to the division or to the town from time to time as the work progresses, to the extent that the said commissioners are satisfied that the work for which agreements have been made is being done in accordance therewith. Such contributions or expenditures by a county shall not render it liable for defects in any way or for damages to persons traveling thereon, and when the work of repair or maintenance for which such contribution or expenditure is made is completed, there shall be no further obligation on the part of the county as to the repair and maintenance thereof until a further contribution is made by the county commissioners for such purpose.

SECTION 2. Chapter eighty-four of the General Laws is hereby amended by inserting after section eleven the following new section:—*Section 11A.* When a public way other than a state highway has been constructed or improved in whole or in part by aid of money contributed by a county, the said way shall be kept and maintained in good repair and condition by the town in which the same lies, but the county may aid in such maintenance, and for such purpose the county commissioners may grant sums of money from the county treasury to be paid to the town to aid in such repairs as the commissioners may order. Such money may be paid to the town from time to time as the work progresses to the extent that the commissioners are satisfied that the same is being done in accordance with their directions. Such grants or contributions shall not render a county liable for defects in any way or for damages to persons traveling thereon, and when the work of repair or maintenance for which such grants or contributions are made is completed there shall be no further obligation on the part of the county as to the repair or maintenance thereof until a further grant or order is made by the county commissioners for such purposes.

Approved March 15, 1921.

AN ACT RELATIVE TO THE TAKING OF MUSKRATS.

Chap.121

Whereas, The deferred operation of this act would tend to defeat its purpose of supplying needed employment; therefore it is hereby declared to be an emergency law necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

Chapter one hundred and thirty-one of the General Laws is hereby amended by striking out section fifty-one and inserting in place thereof the following: — *Section 51.* Except in Dukes and Nantucket counties, no person shall, except as provided in the two following sections and in sections eighty-one to eighty-eight, inclusive, hunt, take or kill or have in possession the living or dead bodies or parts thereof of minks, otters, muskrats, skunks or raccoons, except that such animals may be taken by shooting or trapping between November first and March first, both dates inclusive, and except that muskrats may also be taken by trap only, between March first and April tenth, both dates inclusive, and raccoons may also be taken with the aid or by the use of dogs or guns in October, but not more than twenty-five raccoons shall be taken by one person in one season.

G. L. 131, § 51,
amended.

Close season for
certain fur-
bearing
animals.

Approved March 16, 1921.

AN ACT AUTHORIZING THE CITY OF TAUNTON TO BORROW
MONEY FOR SCHOOL PURPOSES.

Chap.122

Be it enacted, etc., as follows:

SECTION 1. For the purpose of purchasing land and constructing thereon a schoolhouse, at East Taunton within the city of Taunton, and for furnishing and equipping the same, the city of Taunton may from time to time borrow such sums as may be necessary, not exceeding, in the aggregate, two hundred thousand dollars, and may issue bonds or notes therefor which shall bear on their face the words, Taunton Schoolhouse Loan, Act of 1921. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall otherwise be subject to chapter forty-four of the General Laws.

City of Taun-
ton may bor-
row money for
school pur-
poses.

Taunton
Schoolhouse
Loan, Act
of 1921.

SECTION 2. This act shall take effect upon its passage.

Approved March 18, 1921.

Chap.123 AN ACT TO SHORTEN THE TIME FOR TAKING APPEALS FROM CERTAIN DECISIONS OF THE COMMISSIONER OF CORPORATIONS AND TAXATION.

Emergency
preamble.

Whereas, The deferred operation of this act would cause substantial inconvenience, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. 63,
§ 71, amended.

Appeals from
decisions of
commissioner
of corporations
and taxation
relative to
taxation of
corporations.

Overpayments
to be reim-
bursed.

Abatement of
uncollectible
assessments.

Section seventy-one of chapter sixty-three of the General Laws is hereby amended by striking out, in the fourth line, the word "thirty", and inserting in place thereof the word: — ten, — so as to read as follows: — *Section 71.* Except as otherwise provided, any party aggrieved by any decision of the commissioner upon any matter arising under this chapter from which an appeal is given, may apply to the board of appeal from decisions of the commissioner within ten days after notice of his decision. Said board shall hear and decide the subject matter of such appeal, and give notice of its decision to the commissioner and the appellant; and its decision shall be final and conclusive as to questions of fact, although payments have been made as required by the decision appealed from. Any overpayment of tax determined by decision of said board of appeal shall be reimbursed by the commonwealth. Taxes, excises, costs or expenses of any kind assessed upon any corporation, company or association, except a municipal corporation, which are unpaid and are uncollectible, may be abated by the board of appeal on the recommendation of the attorney general and commissioner at any time after the expiration of five years from the date when the same became payable.

Approved March 18, 1921

Chap.124 AN ACT RELATIVE TO THE ACCOUNT BY COLLECTORS OF TAXES OF CERTAIN CHARGES AND FEES.

Emergency
preamble.

Whereas, The deferred operation of this act would cause great inconvenience in the keeping of the accounts of collectors of taxes and add to the expense, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Section two of chapter sixty of the General Laws is hereby amended by striking out, in the seventh and eighth lines, the words "upon each tax in the list", so as to read as follows: —

Section 2. Every collector of taxes, constable, sheriff or deputy sheriff, receiving a tax list and warrant from the assessors, shall collect the taxes therein set forth, with interest, and pay over said taxes and interest to the town treasurer according to the warrant, and shall make written return thereof with his tax list and of his doings thereon at such times as the assessors shall in writing require. He shall also give to the treasurer an account of all charges and fees collected by him. In towns, not cities, he shall, on or before the fifth day of each month, pay over to the town treasurer all money received by him during the preceding month on account of taxes and interest. *Approved March 18, 1921.*

G. L. 60, § 2,
amended.

Collection and
payment over
of taxes.

Return
thereof.

AN ACT TO RATIFY AND CONFIRM CERTAIN ACTS OF THE
SHELburne FALLS FIRE DISTRICT. Chap. 125

Be it enacted, etc., as follows:

SECTION 1. Chapter two hundred and sixty-two of the acts of eighteen hundred and fifty-five is hereby amended by striking out section four and inserting in place thereof the following: — *Section 4.* Meetings of said district shall be called by a warrant under the hands of its board of water commissioners directed to the clerk, or some other person, who shall forthwith give notice of such meeting in the manner prescribed by the General Laws.

1855, 262, § 4,
amended.

Shelburne
Falls Fire
District,
calling of
meetings.

SECTION 2. All provisions of general or special laws requiring said district to choose a prudential committee shall not apply to said district; and the board of water commissioners of said district, established under chapter six hundred and forty-four of the acts of nineteen hundred and eleven, shall have all the powers of and perform all the duties of a prudential committee.

Board of water
commissioners
to have powers,
etc., of a pru-
dential com-
mittee.

SECTION 3. From and after the passage of this act said district shall no longer choose a chief engineer and assistant engineers, but such officers shall be appointed by the board of water commissioners.

Chief engineer,
etc., appoint-
ment, etc.

SECTION 4. At the first annual meeting of said district held after the passage of this act said district shall elect by ballot three assessors to hold office, one until the expiration

Assessors,
election, terms,
etc.

of three years, one until the expiration of two years, and one until the expiration of one year; and at every annual meeting thereafter one assessor shall be elected by ballot for the term of three years.

Certain acts
ratified and
confirmed.

SECTION 5. All acts done and all votes passed by said district at any meeting called by its board of water commissioners, and all acts done by any of its officers pursuant to votes passed at any meeting so called, are hereby made valid and confirmed to the same extent that they would have been valid had such meetings been called by the clerk of said district; and all acts of said district and of its officers performed by authority of its board of water commissioners acting in place of or instead of a prudential committee are hereby made valid and confirmed to the same extent that they would have been valid had its water commissioners been elected as a prudential committee.

SECTION 6. This act shall take effect upon its passage.

Approved March 18, 1921.

Chap. 126 AN ACT RELATIVE TO THE SALARY OF THE CLERK OF THE BOARD OF POLICE FOR THE CITY OF FALL RIVER.

Be it enacted, etc., as follows:

1894, 351, § 4,
etc., amended.

Board of police
for city of Fall
River, salaries
of members
and clerk,
accommoda-
tions, etc.

SECTION 1. Chapter three hundred and fifty-one of the acts of eighteen hundred and ninety-four, as amended in section four by chapter one hundred and sixty-four of the Special Acts of nineteen hundred and nineteen, is hereby further amended by striking out said section four and inserting in place thereof the following:— *Section 4.* The annual salary of the chairman of the board of police shall be one thousand dollars, that of each of the other members seven hundred and fifty dollars, and of the clerk not less than fifteen hundred nor more than twenty-five hundred dollars, as shall be determined by the board. Said salaries shall be paid monthly from the treasury of said city. Said clerk shall not engage in any other business, nor shall any member of the board engage or be interested in any business for which said board is authorized to grant licenses. Said board, with the approval of the governor and council, shall be provided with such rooms as shall be convenient and suitable for the performance of its duties, the rent of which shall be paid by said city. Said city shall provide all such suitable accommodations for the police as said board shall require, and all buildings and property used by said police shall be under the

control of said board. All expense for the maintenance of buildings, the pay of the police, and all incidental expenses incurred in the administration of said police shall be paid by said city upon the requisition of said board.

SECTION 2. This act shall take effect upon its passage.
Approved March 18, 1921.

AN ACT RELATIVE TO THE HOURS AND PLACES OF PUBLIC AUCTIONS. Chap.127

Be it enacted, etc., as follows:

Section five of chapter one hundred of the General Laws is hereby amended by inserting after the word "situated", in the fifth line, the words: — and in accordance with such conditions relative to the hours and places of selling goods and chattels in the town of sale as the licensing authority thereof deems expedient, — and also by adding at the end thereof the following: — If an auctioneer makes a sale by auction at a time or place in a town not authorized by the licensing authority thereof he shall be liable to like penalties as if he had sold without a license, — so as to read as follows: — *Section 5.* An auctioneer, except as provided in section eight or in section twenty-nine of chapter one hundred and one, may sell real or personal property by public auction in any place within his county and, when employed by others, may sell such property in any place within the commonwealth, if such sale is made where such property is situated and in accordance with such conditions relative to the hours and places of selling goods and chattels in the town of sale as the licensing authority thereof deems expedient; provided, that such personal property does not consist of goods, wares or merchandise which have been brought into a town by persons engaged in the business of traveling and carrying stocks of goods, wares or merchandise from one town to another within the commonwealth for the purpose of selling the same by auction. An auctioneer selling by auction in a town where he is not authorized to sell shall forfeit fifty dollars. If an auctioneer makes a sale by auction at a time or place in a town not authorized by the licensing authority thereof he shall be liable to like penalties as if he had sold without a license. *Approved March 18, 1921.*

G. L. 100, § 5,
amended.

Hours and
places of pub-
lic auctions.

Proviso.

Forfeiture and
penalty for
unauthorized
sales.

Chap.128 AN ACT AUTHORIZING THE CITY OF BOSTON TO PAY A SUM OF MONEY TO EDWIN B. BARNES.

Be it enacted, etc., as follows:

City of Boston may pay a sum of money to Edwin B. Barnes.

SECTION 1. The city of Boston may pay the sum of four thousand dollars to Edwin B. Barnes to reimburse him for injuries sustained on account of being run into on the highway by a motor cycle policeman of said city.

To be submitted to city council, etc.
Proviso.

SECTION 2. This act shall take effect upon its acceptance by the city council of said city, subject to the provisions of its charter, provided such acceptance occurs prior to December thirty-first in the current year.

Approved March 18, 1921.

Chap.129 AN ACT AUTHORIZING THE CITY OF BOSTON TO PAY A SUM OF MONEY TO THOMAS F. GOODE.

Be it enacted, etc., as follows:

City of Boston may pay a sum of money to Thomas F. Goode.

SECTION 1. The city of Boston may pay to Thomas F. Goode a sum not to exceed four thousand dollars for injuries received by him while assisting a police officer in the performance of his duty.

To be submitted to city council, etc.
Proviso.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter, provided that such acceptance occurs prior to December thirty-first in the current year.

Approved March 18, 1921.

Chap.130 AN ACT ENABLING TOWNS TO TRANSFER TO SELECTMEN THE POWERS AND DUTIES OF WATER AND MUNICIPAL LIGHT COMMISSIONERS AND MUNICIPAL LIGHT BOARDS.

Be it enacted, etc., as follows:

G. L. 41, § 21, amended.

Section twenty-one of chapter forty-one of the General Laws is hereby amended by inserting after the words "water commissioners", in the fourth line, the words: — water and municipal light commissioners, municipal light board, — so as to read as follows:— *Section 21.* Ten per cent of the registered voters in any town may file a petition with the selectmen thirty days or more before the annual town meeting asking that the selectmen act as a water and sewer board, water commissioners, water and municipal light commis-

Referendum in towns relative to selectmen acting as or appointing other officers.

sioners, municipal light board, sewer commissioners, park commissioners, board of health, assessors or overseers of the poor, or perform the duties of such boards or officers or any of them, or that cemetery commissioners, assessors, a superintendent of streets, a chief of the police and fire departments or a tree warden be thereafter appointed by the selectmen. The selectmen shall thereupon direct the town clerk to cause the question whether the petition shall be granted to be printed upon the official ballot used for the election of town officers at the next annual election in substantially the following form:

Shall the town vote to have its selectmen act
as ?

YES.	
NO.	

Shall the town vote to have its selectmen ap-
point ?

YES.	
NO.	

If the vote is in the affirmative it shall be valid and binding and the town shall, at the next annual meeting, unless the selectmen are then so elected, provide for their election for three year terms in the manner provided in section one.

Terms of office of selectmen upon affirmative vote.

Upon the election and qualification of the selectmen at such next annual meeting, and upon the appointment and qualification by oath of the officers herein authorized to perform the duties of any existing town board or officer, the term of office of such existing board or officer shall thereupon terminate, and all the duties, powers and obligations of said boards and officers shall be transferred to and imposed upon their successors; and if the town votes to have a superintendent of streets appointed, the office of highway surveyor or road commissioner shall terminate.

Termination of terms of office of certain officers when towns vote to have selectmen act as or appoint certain officers, etc.

Approved March 18, 1921.

AN ACT RELATIVE TO THE PENSIONING OF PERMANENT MEMBERS OF THE FIRE DEPARTMENT OF THE CITY OF HAVERHILL.

Chap. 131

Be it enacted, etc., as follows:

Chapter two hundred and sixty-eight of the Special Acts of nineteen hundred and sixteen is hereby amended by inserting after section two the following new section: — *Section 24.* The words "permanent member" as used in this act shall be construed to include chiefs or other officers in charge of the department, and members of the board of engineers or other governing bodies who are also firemen, and such

1916, 263 (S), new section after § 2.

Pensioning of members of Haverhill fire department, words "permanent member", how construed.

persons if in other respects entitled to retirement and a pension shall be entitled thereto notwithstanding that they are subject to election at stated intervals by the municipal authorities.

Approved March 18, 1921.

Chap.132 AN ACT RELATIVE TO THE BOSTON FIREMEN'S MUTUAL RELIEF ASSOCIATION.

Be it enacted, etc., as follows:

Boston Firemen's Mutual Relief Association, election of officers, method of voting, etc.

The Boston Firemen's Mutual Relief Association, a fraternal benefit society, is hereby authorized at the annual meetings for the election of officers to take the vote for said officers at the respective company quarters established by the Boston fire and protective departments. The votes as cast shall be placed by the official in charge of the voting in a sealed receptacle and sent by messenger to the place of the annual meeting and deposited by this messenger in the ballot box.

Approved March 18, 1921.

Chap.133 AN ACT INCREASING THE AUTHORIZED PROPERTY HOLDINGS OF THE BOSTON CHAMBER OF COMMERCE.

Be it enacted, etc., as follows:

1909, 251, § 5, etc., amended.

Section five of chapter two hundred and fifty-one of the acts of nineteen hundred and nine, as amended by section one of chapter one hundred and sixty of the acts of nineteen hundred and twenty, is hereby further amended by striking out, in the third line, the word "five", and inserting in place thereof the word:— eight,— so as to read as follows:—

Boston Chamber of Commerce may hold property, etc.

Section 5. The said Boston Chamber of Commerce authorized hereunder is hereby authorized to hold real and personal estate to an amount not exceeding eight million dollars, with authority to sell, purchase, mortgage, lease or rent the same or any part thereof.

Approved March 18, 1921.

Chap.134 AN ACT ESTABLISHING A HARBOR LINE ON THE NORTHERLY SIDE OF THE MERRIMACK RIVER IN THE CITY OF HAVERHILL.

Be it enacted, etc., as follows:

Harbor line on northerly side of Merrimack river in city of Haverhill, established.

The following described line on the northerly side of the Merrimack river, in the city of Haverhill, is hereby established as a harbor line beyond which no wharf, pier or other

structure shall be extended into or over the tide waters of said river: — Beginning at the southeasterly corner of the stone abutment at the northerly end of the Boston and Maine railroad bridge in the line established by chapter one hundred and four of the acts of eighteen hundred and eighty-three; thence running southwesterly by the face of said abutment about fifty-three and three tenths feet to the southwesterly corner thereof; thence running southwesterly in a straight line about three hundred and sixty feet to a point in the extension of the westerly line of property of A. J. Tilton one hundred and twenty-five feet from its intersection with the southerly line of River street; thence running southwesterly in a straight line about two thousand three hundred and fifty feet to an angle in a timber bulkhead formerly the property of Lahey, Tilton and Lennox; the extension of said line a distance of one hundred and seven and five tenths feet intersects an extension of the easterly line of Ayer street at a point two hundred and ninety-six and six tenths feet southerly therein from a concrete bound in the southerly line of River street. The above described line is shown on a plan on file in the office of the department of public works, division of waterways and public lands, marked "Plan showing Harbor Line above the Boston and Maine Railroad Bridge on the Northerly side of Merrimack River in Haverhill. December 1920. Scale 1: 1000".

Approved March 18, 1921.

AN ACT AUTHORIZING THE CITY OF BOSTON TO PAY A SUM OF MONEY TO THE WIDOW OF JAMES E. McDONOUGH. Chap. 135

Be it enacted, etc., as follows:

SECTION 1. The city of Boston may pay to the widow of James E. McDonough of Boston who died on or about August first, nineteen hundred and twenty, while in the employ of the public buildings department of said city, the sum of five hundred and seventy-five dollars, being the balance of the salary to which he would have been entitled had he lived and continued to occupy his position until February first, nineteen hundred and twenty-one.

City of Boston may pay a sum of money to widow of James E. McDonough.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter, provided that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to city council, etc. Proviso.

Approved March 18, 1921.

Chap.136 AN ACT RELATIVE TO BLANKET POLICIES OF ACCIDENT OR HEALTH INSURANCE.

Be it enacted, etc., as follows:

G. L. 175,
§ 110, amended.

Certain provisions of law not applicable to general or blanket policies of accident or health insurance.

What to be considered a general or blanket policy, etc.

Section one hundred and ten of chapter one hundred and seventy-five of the General Laws is hereby amended by adding at the end thereof the following: — Where the premium is to be paid by the employer and employees jointly and the benefits of the policy are offered to all eligible employees, a policy covering not less than seventy-five per cent of such employees, or covering members of an association of such employees if the members so insured in fact constitute not less than seventy-five per cent of all eligible employees, shall be considered a general or blanket policy within the meaning of this section, — so as to read as follows: — *Section 110.* Nothing in the two preceding sections shall apply to or affect any general or blanket policy of insurance issued to any employer, whether an individual, corporation, co-partnership, or association, or to any municipal corporation or department thereof, police or fire department, underwriters corps, salvage bureau or like organization, where the officers, members or employees or classes or departments thereof are insured against specified accidental bodily injuries or diseases while exposed to the hazards of the occupation or otherwise, for a premium intended to cover the risks of all the persons insured under such policy. Where the premium is to be paid by the employer and employees jointly and the benefits of the policy are offered to all eligible employees, a policy covering not less than seventy-five per cent of such employees, or covering members of an association of such employees if the members so insured in fact constitute not less than seventy-five per cent of all eligible employees, shall be considered a general or blanket policy within the meaning of this section.

Approved March 23, 1921.

Chap.137 AN ACT TO ESTABLISH HARBOR LINES IN SOUTH BAY IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Harbor lines in South bay in city of Boston changed and established.

SECTION 1. The harbor lines in South bay in the city of Boston are hereby changed and established as follows: — Beginning at a point A on the southerly side of Dover street

bridge, which point is distant one hundred and eighty-three feet southeasterly from the southeasterly side line of Albany street; thence running southwesterly, parallel with said side line, nine hundred feet, to point B; thence running southwesterly, a little more westerly, about five hundred and fifty-five feet to a point C which is distant three hundred and seventy feet southeasterly from the northwesterly side line of Albany street, measuring at right angles to said side line from a point therein six hundred and twenty-seven feet northeasterly from the northeasterly side line of Wareham street; thence running southwesterly still more westerly, about sixteen hundred and fifteen feet, to a point D which is distant three hundred and fifty-three feet southeasterly from said northwesterly side line of Albany street, measuring at right angles to said side line from the point of its intersection with the southwesterly side line of East Brookline street; thence running southwesterly, still more westerly, five hundred feet, to a point E which is distant three hundred and forty feet southeasterly from said northwesterly side line of Albany street, measuring at right angles thereto; thence running southeasterly one hundred feet at right angles to the harbor line last described to a point F; thence running northeasterly, about four hundred and thirty-five feet, to a point G which is distant four hundred and fifty-five feet southeasterly from said northwesterly side line of Albany street, measuring at right angles to said side line from a point therein sixty-five feet southwesterly from the southwesterly side line of East Brookline street; thence running southeasterly, parallel with the northerly side line of Southampton street, six hundred and eighty feet to a point H; thence deflecting to the left one hundred degrees, six minutes and running northwesterly about seven hundred and five feet to a point J which is distant two hundred and ten feet southeasterly from the line C-D, measuring at right angles thereto; thence running northeasterly parallel to said line C-D, eight hundred and twenty-nine feet to a point K; thence running northeasterly more northerly parallel to and two hundred and ten feet distant southeasterly from the line B-C about one thousand and ten feet to point L which is situated at the intersection of said line K-L, and a line perpendicular to the southerly side line of Dover street bridge and forty feet northwesterly from the center of pier number four of said Dover street bridge, said line also being about eighty-five feet southeasterly from the southeasterly side of the draw

Harbor lines
in South bay
in city of
Boston changed
and established.

opening in said bridge; thence northeasterly more northerly in said line forty feet northwesterly of said pier number four about nine hundred and twenty-seven feet to its intersection with the harbor line on the easterly side of Fort Point channel and northerly of Dover street bridge established by chapter thirty-five of the acts of eighteen hundred and forty.

Wharves, etc.,
not to extend
beyond harbor
lines.

License for
certain con-
struction work
inside harbor
lines.

SECTION 2. No wharf, pier, wall, filling or other structure or work, shall hereafter be built or extended in said South bay beyond the harbor lines aforesaid; nor shall any structure be built or filling done inside said harbor lines and below the present high water mark in said bay, without authority or license therefor first duly obtained under and subject to the provisions of chapter ninety-one of the General Laws.

Provision to be
made for
drainage of
surface waters,
etc., in case of
certain
construction
work.

SECTION 3. No structure shall be built or filling or other work done in any portion of said South bay below the present high water mark thereof, whereby the existing flow or drainage of surface or other waters in or into and through said bay towards the sea is cut off or obstructed, without first making such other provision for such flow or drainage as shall be approved by the department of public works of both the commonwealth and the city of Boston.

Certain harbor
lines annulled.

SECTION 4. All harbor lines heretofore established in South bay, so far as they differ from those established by this act, are hereby annulled. *Approved March 23, 1921.*

Chap. 138 AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO EXPEND FOR HIGHWAY CONSTRUCTION IN THE TOWN OF HINGHAM THE BALANCE OF AN APPROPRIATION HERETOFORE MADE FOR SUCH PURPOSE.

Be it enacted, etc., as follows:

Department of
public works
may expend
for highway
construction in
town of Hing-
ham balance
of certain
appropriation.

The division of highways of the department of public works may expend during the years of nineteen hundred and twenty-one and nineteen hundred and twenty-two, for the construction of a state highway in the town of Hingham in accordance with chapter two hundred and thirteen of the General Acts of nineteen hundred and sixteen, the unexpended balance of the two hundred thousand dollars heretofore authorized for such purpose by said chapter.

Approved March 23, 1921.

AN ACT ESTABLISHING IN THE CITY OF SALEM A BOARD OF
APPEAL RELATIVE TO BUILDING CONSTRUCTION AND MAIN-
TENANCE. Chap. 139

Be it enacted, etc., as follows:

SECTION 1. There shall be established in the city of Salem a board to be known as the board of appeal, consisting of five members, one of whom shall be an architect, one a mason, one a carpenter and one an attorney at law. All the members shall be appointed by the mayor subject to confirmation by the city council and shall serve without compensation. When first appointed two members shall be appointed for terms of three years, two for terms of two years and one for the term of one year and said terms shall begin on May first next succeeding the acceptance of this act by the city council, and thereafter as the term of any member expires his successor shall be appointed in the same manner for the term of three years. The mayor may remove any member with the consent of the city council, and may with like consent fill any vacancy for the unexpired term. The members of said board shall be residents of the city of Salem. No member shall act in any case in which he is interested, and if any member is so disqualified or is absent because of illness or other cause the decision shall require the unanimous approval of the remaining members. Every decision of the board shall be in writing and shall require the assent of at least four members of the board.

Board of appeal relative to building construction and maintenance in city of Salem, establishment, membership, qualifications, terms of office, etc.

SECTION 2. An applicant for a building permit whose application has been refused by the inspector of buildings may appeal therefrom within thirty days to the board of appeal. A person who has been ordered by said inspector to incur any expense may, within ten days after being notified of such order, appeal therefrom by giving notice in writing of his appeal to said inspector. The notice, or a certified copy thereof, shall at once be transmitted by the inspector to the board of appeal. After notice given to such persons as the board shall order, a hearing shall be held, and the board shall affirm, annul, or modify said refusal or order. The board may dispense with and vary the application or enforcement of the building ordinances and regulations of said city in cases which do not appear to them to be within the intent of said ordinances or regulations, or in

Method of appeal upon refusal of building permits by inspector of buildings.

Powers, decisions, etc., of board.

Proviso.

Decision to
specify varia-
tions, etc.

Modified
methods of
construction,
etc., may be
allowed.

Report to be
submitted to
mayor.

Additional
safety require-
ments to be
determined
by inspector
of buildings.

Further powers
and duties of
board.

To be sub-
mitted to city
council, etc.

Proviso.

cases where a literal interpretation thereof would result in manifest injustice; provided that such decision shall not conflict with the spirit of the building laws, or of said ordinances or regulations. Such a decision shall specify the variations allowed and the reasons therefor, and shall be filed in the office of said inspector within ten days after the hearing. A certified copy thereof shall be sent by mail or otherwise to the applicant and a copy kept publicly posted in the office of said inspector for two weeks thereafter. If the order or refusal of the inspector is affirmed, such order or refusal shall have full force and effect. If the order or refusal is modified or annulled, said inspector shall issue a permit in accordance with such decision.

SECTION 3. Methods of construction or maintenance equivalent to those required by the provisions of said building ordinances or regulations may be allowed with the written consent of the inspector of buildings and of the board of appeal, and the same shall in all cases be specified. A record of the required method and of the equivalent method allowed shall be kept in the office of said inspector. The board of appeal shall submit to the mayor on or before February first in each year, a report giving a summary of all its decisions, together with such recommendations for revision of the building ordinances and regulations as may seem to it advisable. Any requirement necessary for the strength or stability of any proposed structure or for the safety of the occupants thereof, not specifically covered by said building ordinances or regulations, shall be determined by the inspector of buildings, subject to appeal. The board of appeal shall have such further powers and duties, not inconsistent with law, as the city council may by ordinance from time to time prescribe.

SECTION 4. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter, provided that such acceptance occurs prior to December thirty-first in the current year; but so much thereof as authorizes its submission to the city council shall take effect upon its passage.

Approved March 23, 1921.

AN ACT RELATIVE TO PRIMARY ELECTIONS IN THE CITY OF MEDFORD. *Chap. 140*

Be it enacted, etc., as follows:

SECTION 1. Except as otherwise provided herein, there shall not be printed on the official ballots to be used at any biennial or special city election in the city of Medford the name of any person as a candidate for any elective office unless such person be nominated as such candidate at a city primary election to be held as provided in this act. There shall not be printed on the official ballots to be used at a city primary election the name of any person as a candidate unless such person shall have filed, within the time limited by section four of this act, the statement of the candidate and the petition accompanying the statement described in said section.

Primary elections in city of Medford.

SECTION 2. Except as otherwise provided herein, on the second Tuesday preceding every city election there shall be held a city primary election for the purpose of nominating candidates for elective offices. No special election shall be held until after the expiration of forty days from the calling of the special city primary election, which shall be held on the second Tuesday preceding such special election. At every city primary election the polls shall be kept open during such hours as shall be fixed by the board of aldermen and, except as otherwise provided in this act, every such city primary election shall be called by the same officers and held in the same manner as a regular city election, and polling places shall be designated, provided and furnished, official ballots, special ballots, ballot boxes, voting lists, specimen ballots, blank forms, apparatus and supplies shall be provided for every such city primary election of the same number and kind, and in the same manner and by the same officials as at a regular city election, and the same election officers shall officiate as at a regular city election.

Date of city primary election, etc.

Aldermen to fix polling hours, etc.

SECTION 3. The provisions of law relating to election officers, voting places for elections, election apparatus and blanks, calling and conduct of elections, manner of voting at elections, counting and recounting of votes at elections, corrupt practices and penalties, shall apply to the city primary elections, except as otherwise provided in this act.

Certain election laws to apply, except, etc.

SECTION 4. Any person who is qualified to vote for a candidate for an elective office, and who is a candidate for nomination for the said office may have his name as such

Names of candidates to appear upon primary ballot.

Proviso.

candidate printed on the official ballots to be used at a city primary election; provided that he shall, at least ten days prior to such city primary election, file with the city clerk a statement in writing of his candidacy in substantially the following form: —

STATEMENT OF CANDIDATE.

Form of statement of candidate.

I (), on oath declare that I reside at (number, if any) on (name of street), in the city of Medford, that I am a voter therein qualified to vote for a candidate for the hereinafter mentioned office; that I am a candidate for nomination for the office of (name of office) for (state the term), to be voted for at the city primary election to be held on Tuesday, the day of , 19 , and I request that my name be printed as such candidate on the official ballots to be used at said city primary election.

(Signed)

THE COMMONWEALTH OF MASSACHUSETTS.

Middlesex, ss.

Subscribed and sworn to on this day
of , 19 , before me.

(Signed)

Justice of the Peace.

(Or Notary Public.)

My commission expires .

Petition to be filed.

Every such candidate shall at the same time file with the statement the petition of at least twenty-five voters of the city qualified to vote for a candidate for said office. The petition shall be in substantially the following form: —

PETITION ACCOMPANYING STATEMENT OF CANDIDATE.

Form of petition.

Whereas (name of candidate) is a candidate for nomination for the office of (name of office) for (state the term), we, the undersigned voters of the city of Medford, duly qualified to vote for a candidate for the said office, hereby request that the name of said (name of candidate) as a candidate for nomination for said office, be printed on the official ballots to be used at the city primary election to be held on the Tuesday of , 19 . We further state that we believe him to be of good moral character and qualified to perform the duties of the office.

Name of Voter.	Street Number, if any.	Street.

SECTION 5. On the first day, not being Sunday or a legal holiday, following the expiration of the time for filing the above described statements and petitions, and providing there are three or more candidates, the city clerk shall cause to be published in one or more newspapers published in the city the names and residences of the candidates for nomination who have duly filed the above mentioned statements and petitions, as they are to appear on the official ballots to be used at the city primary election. The city clerk shall thereupon prepare the ballots to be used at the city primary election and shall cause them to be printed, and the ballots so prepared shall be the official ballots, and the only ballots, used at the said election. They shall be headed as follows: —

Publication of list of candidates.

Preparation of official ballots.

OFFICIAL PRIMARY BALLOT.

Candidates for nomination for (name of office) of the city of Medford. At a city primary election held on the day of , in the year nineteen hundred and

Form of official primary ballot.

SECTION 6. Except as otherwise provided herein, the name of each person who has filed a statement and accompanying petition as aforesaid, and his residence and the title and term of the office for which he is a candidate for nomination shall be printed on said ballots, and the names of no other candidates shall be printed thereon.

What names to be printed on ballots.

SECTION 7. No ballot used at any city primary election shall have printed thereon any party or political designation or mark, and there shall not be appended to the name of any candidate any such party or political designation or mark, or anything showing how he was nominated, or indicating his views or opinions.

Party or political designations prohibited.

SECTION 8. Voters qualified to vote at city elections shall be qualified to vote at the city primary elections.

Who are qualified to vote.

SECTION 9. The election officers shall immediately, upon the closing of the polls at city primary elections, count the

Counting of ballots, etc.

ballots and ascertain the number of votes cast in the voting places where they officiate, for each person for nomination for any office, and shall make return thereof to the city clerk forthwith upon blanks to be furnished as in city elections.

Canvass of returns and publication of result.

SECTION 10. On the first day, not being a legal holiday, following the city primary election, the city clerk shall canvass the returns so received from the election officers, and shall forthwith publish the result of the canvass in one or more newspapers published in said city.

Nominations, how determined.

SECTION 11. Except as otherwise provided herein, the two persons receiving at a city primary election the highest number of votes for nomination for any office shall be the candidates, and the only candidates, for that office whose names shall be printed on the official ballots to be used at the regular or special city election for the making of nominations for which the city primary election was held.

Tie vote.

If the primary election results in a tie among candidates for nomination receiving the smallest number of votes which, but for the tie, would enable the person receiving such number to have his name printed upon the official ballots for the election, candidates participating in such tie vote shall have their names printed upon the official ballots.

Persons filing statements shall be deemed nominated, when.

SECTION 12. If, at the expiration of the time for filing statements of candidates to be voted for at any city primary election, not more than two such statements have been filed with the city clerk for any office, then the candidates whose statements have thus been filed shall be deemed to have been nominated for that office, and their names shall be used at the city election.

Election, how determined.

SECTION 13. At city elections, other than the above described city primary elections, the person receiving the highest number of votes for any office shall be deemed and declared elected to that office.

Certain election laws to apply.

SECTION 14. Except as otherwise provided in this act, the laws of the commonwealth governing city elections, special elections of city officers and special elections in cities shall, so far as applicable, govern such elections in the said city.

To be submitted to voters, etc.

SECTION 15. This act shall be submitted to the voters of the city of Medford for their acceptance at the regular city election in the current year in the form of the following question to be placed upon the official ballot: — “Shall chapter _____ of the acts of nineteen hundred and twenty-one, being an act relative to primary elections in the

city of Medford, be accepted?" If a majority of the voters voting thereon shall vote in the affirmative then this act shall take effect, but not otherwise.

Approved March 23, 1921.

AN ACT RELATIVE TO GROUP LIFE INSURANCE.

Chap.141

Be it enacted, etc., as follows:

Section one hundred and thirty-three of chapter one hundred and seventy-five of the General Laws is hereby amended by inserting after the word "employment," in the sixth and seventh lines, the words: — or by duration of service in which case no employee shall be excluded if he has been for one year or more in the employ of the person taking out the policy, — so as to read as follows: — *Section 133.* Group life insurance is hereby defined to be that form of life insurance covering not less than fifty employees, with or without medical examination, written under a policy issued to the employer, the premium on which is to be paid by the employer or by the employer and employees jointly, and insuring only all of his employees, or all of any class or classes thereof determined by conditions pertaining to the employment, or by duration of service in which case no employee shall be excluded if he has been for one year or more in the employ of the person taking out the policy, for amounts of insurance based upon some plan precluding individual selection, and for the benefit of persons other than the employer: provided, that when the premium is to be paid by the employer and employee jointly and the benefits of the policy are offered to all eligible employees, not less than seventy-five per cent of such employees may be so insured; or not less than forty per cent if each employee belonging to the insured group has been medically examined and found acceptable for ordinary insurance by an individual policy.

G. L. 175, § 133, amended.

Group life insurance defined.

Proviso.

Approved March 23, 1921.

AN ACT RELATIVE TO THE CHARTER OF THE ANNISQUAM
MUTUAL FIRE INSURANCE COMPANY.

Chap.142

Be it enacted, etc., as follows:

Section one of chapter seventy-two of the acts of eighteen hundred and forty-seven is hereby amended by striking out,

1847, 72, § 1, amended.

in the fifth line, the words "for the term of twenty-eight years," and also by striking out all after the word "property," in the seventh line, and inserting in place thereof the following: —, wherever located, with all the powers and privileges, and subject to all the liabilities, duties and restrictions, set forth in chapter one hundred and seventy-five of the General Laws and in any subsequent laws, so far as the same are applicable to this corporation, — so as to read as follows: — *Section 1.* Timothy A. Smith, William L. Langsford, and Michael Duley, their associates and successors, are hereby made a corporation, by the name of the Annisquam Mutual Fire Insurance Company in Gloucester, in the county of Essex, for the purpose of insuring upon dwelling-houses and other buildings, and on personal property, wherever located, with all the powers and privileges, and subject to all the liabilities, duties and restrictions, set forth in chapter one hundred and seventy-five of the General Laws and in any subsequent laws, so far as the same are applicable to this corporation.

Approved March 23, 1921.

Annisquam
Mutual Fire
Insurance
Company,
powers,
restrictions,
etc.

Chap. 143 AN ACT AUTHORIZING THE BOSTON TERMINAL COMPANY TO BORROW MONEY BY THE ISSUE OF DEBENTURE BONDS.

Be it enacted, etc., as follows:

1896, 516, § 4,
amended.

Boston
Terminal Com-
pany may
borrow
money by
issue of debenture
bonds.

Section four of chapter five hundred and sixteen of the acts of eighteen hundred and ninety-six is hereby amended by adding at the end thereof the following: — Said terminal company to provide means to carry out the purposes of this act may also from time to time issue its debenture bonds to such an amount and upon such terms and conditions, both as to sale and, if sold below par, as to amortization of discount, as may be approved by the department of public utilities, in sums of not less than one hundred dollars each, and not to exceed, in the aggregate, three million dollars payable at periods not to exceed one hundred years from the date thereof, bearing interest at a rate not to exceed eight per cent per annum, payable annually, semi-annually, or quarterly. No such bond shall be issued unless approved in writing by at least three of the trustees of the corporation. Said railroad companies, their successors and lessees may jointly or severally or jointly and severally guarantee said debenture bonds as to principal or interest or both.

Approved March 23, 1921.

AN ACT RELATIVE TO VOUCHERS FOR DISBURSEMENTS BY DOMESTIC INSURANCE COMPANIES. *Chap. 144*

Be it enacted, etc., as follows:

Section thirty-seven of chapter one hundred and seventy-five of the General Laws is hereby amended by inserting after the word "more", in the second line, the words:—, except disbursements on account of return premiums on cancelled policies, — so as to read as follows:— *Section 37.* No domestic company shall make any disbursements of twenty-five dollars or more, except disbursements on account of return premiums on cancelled policies, unless the same be evidenced by a voucher signed by or on behalf of the person receiving the money and correctly describing the consideration for the payment; and if the same be for services and disbursements, setting forth the services rendered and an itemized statement of the disbursements made; and if it be in connection with any matter pending before any legislature or public body, or before any department or officer of any government, correctly describing in addition the nature of the matter and of the interest of such company therein; or if such a voucher cannot be obtained, by an affidavit stating the reason for not obtaining such voucher, and setting forth the particulars above mentioned.

G. L. 175, § 37, amended.

Vouchers for disbursements by domestic insurance companies.

Approved March 23, 1921.

AN ACT TO SHORTEN THE PERIOD OF DAYLIGHT SAVING, SO-CALLED. *Chap. 145*

Whereas, The deferred operation of this act would in part defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency preamble.

Be it enacted, etc., as follows:

Section ten of chapter four of the General Laws is hereby amended by striking out, in the second and ninth lines, the word "March", and inserting in place thereof the word:— April, — and also by striking out, in the fourth and ninth lines, the word "October", and inserting in place thereof the word:— September, — so as to read as follows:— *Section 10.* At two o'clock ante-meridian of the last Sunday in

G. L. 4, § 10, amended.

Daylight saving, so-called, how effected.

Time of performance, etc., of certain acts, etc., under laws, orders, decrees, rules, contracts, etc.

April of each year, the standard time in this commonwealth shall be advanced one hour, and at two o'clock ante-meridian of the last Sunday in September of each year the standard time in this commonwealth shall, by the retarding of one hour, be made to coincide with the mean astronomical time of the degree of longitude governing the zone wherein the commonwealth is situated, the standard official time of which is described as United States standard eastern time, so that between the last Sunday of April at two o'clock ante-meridian and the last Sunday in September at two o'clock ante-meridian in each year the standard time in this commonwealth shall be one hour in advance of the United States standard eastern time. And in all laws, statutes, orders, decrees, rules and regulations relating to the time of performance of any act by any officer or department of the commonwealth, or of any county, city, town or district thereof, or relating to the time in which any rights shall accrue or determine, or within which any act shall or shall not be performed by any person subject to the jurisdiction of the commonwealth, and in all the public schools and in all institutions of the commonwealth, or of any county, city, town or district thereof, and in all contracts or choses in action made or to be performed in the commonwealth, it shall be understood and intended that the time shall be United States standard eastern time as changed by this section.

Approved March 23, 1921.

Chap. 146 AN ACT TO CHANGE THE NAME OF THE OVERSEERS OF THE POOR IN THE CITY OF BOSTON TO OVERSEERS OF THE PUBLIC WELFARE IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Overseers of the Public Welfare in the City of Boston, The, named.

SECTION 1. The Overseers of the Poor in the City of Boston, incorporated April twenty-fifth, seventeen hundred and seventy-two, and so named by chapter one hundred and twenty-eight of the acts of eighteen hundred and sixty-four, shall hereafter be known as The Overseers of the Public Welfare in the City of Boston, but said change of name shall in no respect affect the rights, powers or duties of said overseers.

SECTION 2. This act shall take effect upon its passage.

Approved March 25, 1921.

AN ACT TO REVIVE THE CHARTER OF THE ASSOCIATED MERCHANTS MUTUAL INSURANCE COMPANY. Chap.147

Whereas, The deferred operation of this act would cause great inconvenience and expense, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience. Emergency preamble.

Be it enacted, etc., as follows:

The Associated Merchants Mutual Insurance Company, a corporation whose charter expired August ninth, nineteen hundred and twenty, by virtue of section thirty-one of chapter five hundred and seventy-six of the acts of nineteen hundred and seven, is hereby revived with the same powers, duties and obligations as if the period mentioned in said section had not expired; provided that its corporate powers shall cease unless it commences to issue policies within one year after the date of the passage of this act. Associated Merchants Mutual Insurance Company, charter revived.

Approved March 25, 1921.

AN ACT AUTHORIZING THE COUNTY OF PLYMOUTH TO PROTECT, FORTIFY AND REPAIR THE PIERS, ABUTMENTS AND OTHER PARTS OF UNION BRIDGE OVER NORTH RIVER BETWEEN THE TOWNS OF MARSHFIELD AND NORWELL. Chap.148

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the county of Plymouth, subject to the provisions of chapter ninety-one of the General Laws and of other laws which may be applicable, are hereby authorized and directed, within one year after the passage of this act, to protect, fortify and repair the piers and abutments of Union bridge, so-called, over North river between the towns of Marshfield and Norwell, and to protect, fortify and repair such other parts of said bridge as may be necessary to protect said bridge against the current, the flow of ice and other incidents of the flow of water in said North river. The whole work shall be done subject to the approval of the division of water ways and public lands of the department of public works. Plymouth county may protect, repair, etc., parts of Union bridge over North river between towns of Marshfield and Norwell.

SECTION 2. The expense incurred under this act shall not exceed the sum of fifteen thousand dollars, and said county commissioners are hereby authorized to borrow on the credit Limit of expense. May issue notes, etc.

of the county, and to issue notes of the county therefor, such sums not exceeding said amount as may from time to time be required for the cost and expense aforesaid. Such notes shall be payable by such annual payments, beginning not more than one year after the date thereof, as will extinguish each loan within five years from its date. The amount of such annual payment in any year shall not be less than the amount of the principal of the loan payable in any subsequent year. Each authorized issue of notes shall constitute a separate loan. All amounts so borrowed shall be deposited in the county treasury, and the treasurer of the county shall pay out of the same such sums as are authorized by the county commissioners.

Payment of
costs.

SECTION 3. The total cost and expense of the work authorized by this act shall be borne by the county of Plymouth, and thereafter the cost of the maintenance and operation of the said bridge shall be borne equally by the towns of Norwell and Marshfield.

SECTION 4. This act shall take effect upon its passage.

Approved March 25, 1921.

Chap.149 AN ACT REVIVING THE CORPORATION KNOWN AS A. BASS COMPANY.

Emergency
preamble.

Whereas, The deferred operation of this act would cause great inconvenience and tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

A. Bass Com-
pany revived.

The A. Bass Company, a corporation which was dissolved by chapter two hundred and twelve of the acts of nineteen hundred and twenty, is hereby revived with the same powers, duties and obligations as if the said act had not been passed.

Approved March 25, 1921.

Chap.150 AN ACT REVIVING THE CORPORATION KNOWN AS THE SUN AMERICAN PUBLISHING COMPANY.

Emergency
preamble.

Whereas, The deferred operation of this act would cause great inconvenience and expense, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

The Sun American Publishing Company, a corporation dissolved by chapter one hundred and eleven of the Special Acts of nineteen hundred and nineteen, is hereby revived with the same powers, duties and obligations as if the said chapter had not been passed. *Approved March 25, 1921.*

Sun American
Publishing
Company,
revived.

AN ACT TO ENABLE THE COUNTY OF MIDDLESEX TO PROVIDE
ADEQUATE ACCOMMODATIONS IN THE CITY OF MALDEN FOR
THE FIRST DISTRICT COURT OF EASTERN MIDDLESEX. Chap.151

Be it enacted, etc., as follows:

SECTION 1. Section two of chapter five hundred and one of the acts of nineteen hundred and twenty is hereby amended by striking out, in the third line, the word "one", and inserting in place thereof the word: — two, — so as to read as follows: — *Section 2.* For the purposes aforesaid, the county commissioners of the county of Middlesex are hereby authorized to borrow a sum not exceeding two hundred thousand dollars, and to issue bonds or notes of the county therefor. Such bonds or notes shall be payable by such annual payments, beginning not more than one year after the date of each loan, as will extinguish the loan within twenty years from its date, and the amount of such annual payment in any year shall not be less than the amount of the principal of the loan payable in any subsequent year. The county may sell the said securities at public or private sale, upon such terms and conditions as it may deem proper, but not for less than their par value, and the proceeds, except premiums, shall be used only for the purposes herein specified. Premiums received on account of loans hereby authorized may be used to pay the cost of issuing the bonds or notes, and any balance shall be held and applied to the first bond or note maturing.

1920, 501, § 2,
amended.

Middlesex
county
may issue bonds
to provide
adequate
accommoda-
tions in city of
Malden for
first district
court of
eastern
Middlesex.

SECTION 2. This act shall take effect upon its passage.
Approved March 25, 1921.

AN ACT RELATIVE TO THE CLOSED SEASON ON HARES AND
RABBITS. Chap.152

Be it enacted, etc., as follows:

Section forty-six of chapter one hundred and thirty-one of the General Laws is hereby amended by inserting, in the

G. L. 131, § 46,
amended.

Closed season
on hares and
rabbits.

third line, after the word "rabbit", the words: — in Dukes or Nantucket county except between November fifteenth and February fifteenth, both dates inclusive, or in any other county, — so as to read as follows: — *Section 46.* No person, except as provided in sections forty-nine, fifty-three and eighty-two to eighty-eight, inclusive, shall hunt, take, kill or have in possession a hare or rabbit in Dukes or Nantucket county except between November fifteenth and February fifteenth, both dates inclusive, or in any other county except between October twentieth and January thirty-first, both dates inclusive, or during the open season take or kill more than two northern varying hares, otherwise known as Canada hares, snow-shoe rabbits or white rabbits, or more than five rabbits in any one day, or have in possession more than two of the said hares or five of the said rabbits taken or killed in any one day; nor shall any person at any time buy, sell, offer for sale or have in possession for the purpose of sale a hare or rabbit taken or killed in this commonwealth, but during the open season in this commonwealth hares or rabbits lawfully taken without the commonwealth may be sold; provided, that the sale thereof is lawful in the state or country in which they were taken. This section shall not apply to European hares in the county of Berkshire which may be taken or killed at any time.

Proviso.

Approved March 25, 1921.

Chap. 153 AN ACT INCREASING THE MAXIMUM AMOUNTS OF JOINT DEPOSITS IN BANKS.

Be it enacted, etc., as follows:

G. L. 167, § 15,
amended.

Section fifteen of chapter one hundred and sixty-seven of the General Laws is hereby amended by striking out, in the second and ninth lines, the word "two", and inserting in place thereof in each instance the word: — four, — and by striking out, in the fourth, fifth, eleventh and twelfth lines, the word "four", and inserting in place thereof in each instance the word: — eight, — so as to read as follows: — *Section 15.* The bank may receive deposits on the accounts provided for in the preceding section to the amount of four thousand dollars, and may allow interest upon such deposits and upon the interest accumulated thereon until the principal with the accrued interest amounts to eight thousand dollars, and thereafter upon no greater amount than eight thousand dollars. Persons having a deposit as provided for in the

Joint deposits
in banks, maxi-
mum amounts,
interest, etc.

preceding section may also make deposits in their individual names, but the total amount of such deposits, both joint and individual, shall not exceed four thousand dollars, and the bank may allow interest upon such deposits and upon the interest accumulated thereon until the principal with the accrued interest on all said accounts amounts to eight thousand dollars, and thereafter upon no greater amount than eight thousand dollars. *Approved March 25, 1921.*

AN ACT AUTHORIZING THE REACTION AND BENEVOLENCE MUTUAL BENEFIT SOCIETY, INCORPORATED, SITUATED IN THE CITY OF LAWRENCE TO HOLD PROPERTY. *Chap.154*

Be it enacted, etc., as follows:

The corporation known as the Reaction and Benevolence Mutual Benefit Society, Incorporated, situated in the city of Lawrence and incorporated under the general laws, may acquire by purchase, gift, grant, devise or bequest, and may hold, manage, mortgage, lease, and otherwise dispose of real or personal estate, to an amount not exceeding two hundred thousand dollars. All of said property, or the income derived therefrom, shall be used for the purposes of the said society as set forth in its charter or certificate of incorporation. *Approved March 25, 1921.*

Reaction and Benevolence Mutual Benefit Society, Incorporated, may hold property.

AN ACT RELATIVE TO CERTAIN FRATERNAL BENEFIT SOCIETIES. *Chap.155*

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and seventy-six of the General Laws is hereby amended by striking out section forty-six and inserting in place thereof the following:—*Section 46.* A domestic society which limits its membership as provided in section four, or which limits its membership to the members and ex-members of any social organization having a lodge system and secret form of work; or a secret order or fraternity which operates on the lodge system with a representative form of government and grants insurance benefits as incidental only to the work of the order or fraternity; or a purely charitable association or corporation existing on May twenty-third, nineteen hundred and one, any one of which pays a death or funeral benefit limited to not more than two hundred dollars, disability benefits not

G. L. 176, § 46, amended.

Certain fraternal benefit societies, etc., may transact business without conforming to certain provisions of law.

exceeding ten dollars a week, or any or all of such benefits or a domestic society which limits its membership as provided in said section four to the employees of a designated firm, business house or corporation, or any department thereof, and pays disability benefits not exceeding fifteen dollars a week, and which is not conducted as a business enterprise or for profit, and a subordinate lodge of a secret fraternity or order as defined in this section which is not conducted as a business enterprise or for profit, which pays death benefits to families or dependents of deceased members as fixed by its by-laws, but not more than two hundred dollars if the lodge membership is two hundred or less, and if over two hundred not in excess of the amount of an assessment of one dollar upon each member thereof in good standing at the time of the death of the member, may transact business in the commonwealth without conforming to the provisions of this chapter, chapter one hundred and seventy-five, or chapter one hundred and seventy-seven, except this section and sections twenty-nine, thirty and thirty-six; provided that no proceeding shall be instituted under said section thirty-six because such society has a membership of less than four hundred. The seventh clause of section five of chapter fifty-nine shall apply to such a society.

Proviso.

Payments upon death of wife of member

Any society transacting business under this section may, in the event of the death of the wife of a member, pay to said member a part of the amount payable at said member's death; provided that the amount so paid shall be deducted from the amount payable at the member's death, and that the total amount so paid, both at the death of the member and of the member's wife, shall not exceed the amount allowed by this section to be paid at the death of a member. Any such society may also furnish physicians and nurses for its members and their families.

Proviso.

Limited societies, how incorporated, etc.

Any such limited society may be incorporated, and limited fraternal benefit corporations may be formed, in the manner prescribed in and be subject to this section and to sections six, seven, nine, ten, twenty-nine, thirty, thirty-two and thirty-six and the seventh clause of section five of chapter fifty-nine; provided that no proceeding shall be instituted under said section thirty-six because such society has a membership of less than four hundred.

Proviso.

Penalty for failure to file copy of by-laws.

The recording officer of any organization subject to this or the preceding section failing to file a certified copy of its by-laws with the commissioner, whenever he so requires in

writing, and also such organization shall be punished by a fine of not more than two hundred dollars.

SECTION 2. Said chapter one hundred and seventy-six is hereby further amended by inserting after section forty-six the following new section to be numbered forty-six A: — *Section 46A.* A subordinate lodge of a society with ritualistic form of work and representative form of government duly authorized to transact business in the commonwealth under this chapter may pay disability benefits not exceeding ten dollars a week without conforming to the provisions of this chapter, chapter one hundred and seventy-five or chapter one hundred and seventy-seven. *Approved March 25, 1921.*

G. L. 176, new section after § 46.

Subordinate lodges, etc., may pay disability benefits without conforming to certain provisions of law.

AN ACT TO EXEMPT ASSISTANT REGISTRARS OF VOTERS IN CERTAIN CITIES FROM CIVIL SERVICE LAWS.

Chap. 156

Be it enacted, etc., as follows:

Section twenty-two of chapter fifty-one of the General Laws is hereby amended by adding at the end thereof the following: — Except in the city of Boston, persons appointed to serve temporarily as assistant registrars shall not be subject to chapter thirty-one, — so as to read as follows: — *Section 22.* The registrars in cities may appoint assistant registrars for the term of one year, beginning with April first, unless sooner removed by the registrars, and they shall, as nearly as may be, equally represent the different political parties. Assistant registrars shall be subject to the same obligations and penalties as registrars. Registrars may remove an assistant registrar, and may fill a vacancy for the remainder of the term. Except in the city of Boston, persons appointed to serve temporarily as assistant registrars shall not be subject to chapter thirty-one.

G. L. 51, § 22, amended.

Assistant registrars of voters in cities, appointment, etc.

Exemption from civil service laws.

Approved March 25, 1921.

AN ACT RELATIVE TO THE GUARANTY FUND AND SURPLUS ACCOUNT REQUIRED TO BE HELD BY CO-OPERATIVE BANKS.

Chap. 157

Be it enacted, etc., as follows:

SECTION 1. Section forty-one of chapter one hundred and seventy of the General Laws is hereby amended by striking out, in the fourth line, the words "the dues capital and profits capital", and inserting in place thereof the words: — its total liabilities, — so as to read as follows: — *Section 41.*

G. L. 170, § 41, amended.

Guaranty fund of co-

operative
banks.

At each distribution of profits the board of directors shall reserve as a guaranty fund not less than one nor more than five per cent of the net profits accrued since the last preceding adjustment, until such fund amounts to five per cent of its total liabilities, and the fund shall thereafter be maintained and held, and shall at all times be available to meet losses in the business of the corporation from depreciation of its securities or otherwise. The board of directors may at any time, by vote duly recorded, transfer to the guaranty fund such part of the surplus account as they deem wise.

Transfer to
guaranty
fund.

G. L. 170, § 42,
amended.

Surplus
account of
co-operative
banks.

SECTION 2. Section forty-two of said chapter one hundred and seventy is hereby amended by striking out, in the eighth and ninth lines, the words "the dues capital and profits capital", and by striking out, in the eleventh line, the words "dues capital and profits capital", and inserting in place thereof in each instance the words:—its total liabilities, — so as to read as follows:— *Section 42.* At each distribution of profits not more than one per cent of the net profits accrued since the last preceding adjustment shall be credited to the surplus account unless there shall have been reserved and credited to the guaranty fund the maximum per cent of the net profits under the preceding section. Any such corporation may hold in its surplus account such sum as the board of directors may, from time to time, deem wise; but whenever the guaranty fund and surplus account together exceed five and one fourth per cent of its total liabilities, the board of directors shall declare an extra dividend at such rate as may be necessary to apportion to the shareholders the accumulation in excess of five per cent of its total liabilities.

Approved March 25, 1921.

Chap. 158 AN ACT RELATIVE TO THE RIGHT OF CO-OPERATIVE BANKS
TO HOLD REAL ESTATE FOR THE TRANSACTION OF BUSI-
NESS.

Be it enacted, etc., as follows:

G. L. 170, § 31,
amended.

Section thirty-one of chapter one hundred and seventy of the General Laws is hereby amended by striking out, in the second line, the word "account", and inserting in place thereof the words:—and guaranty fund accounts, — so as to read as follows:— *Section 31.* Any such corporation may, with the approval of the commissioner, invest a sum not exceeding its surplus and guaranty fund accounts in the purchase of a suitable site and the erection or preparation

Co-operative
banks may
hold real estate
for transaction
of business.

of a suitable building for the convenient transaction of its business, but in no case exceeding two per cent of its dues capital.
Approved March 25, 1921.

AN ACT PERMITTING THE SALE UNDER A LICENSE OF THE UNPLUCKED BODIES OF CERTAIN EUROPEAN OR GRAY PARTRIDGES. Chap.159

Be it enacted, etc., as follows:

Section eighty-five of chapter one hundred and thirty-one of the General Laws is hereby amended by inserting after the word "plover", in the fifth line, the words: — , European or gray partridge, — so as to read as follows: — *Section 85.* Any person licensed under section eighty-six may have in possession and sell the unplucked entire bodies of the following species of birds imported from without the United States, namely, pheasants, mallard ducks, Scotch grouse, European black game, European black plover, European or gray partridge, red-legged partridge, and Egyptian or migratory quail. Any such person may buy, sell and have in possession deer, moose, caribou and elk legally killed outside of the commonwealth and legally transported therein; provided, that there is attached to some part of the body of such deer, moose, caribou or elk the game warden's tag allowing the same to be shipped from the state or country in which it was killed; and provided, further, that before each bird is sold in the commonwealth, there shall be affixed to each carcass or body, or part thereof, a numbered tag to be supplied at a cost of five cents each by the director, and said tag shall be affixed to said body or carcass upon its entry into the commonwealth and be kept thereon while the same is within the commonwealth.

G. L. 131, § 85, amended.

Sale under license of certain birds and game.

Provisos.

Approved March 25, 1921.

AN ACT TO PROVIDE THAT MUTUAL FIRE INSURANCE COMPANIES MAY FURTHER CLASSIFY THE KINDS OF BUSINESS WRITTEN FOR THE PURPOSE OF APPORTIONING THE SAVINGS OR SO-CALLED DIVIDENDS AMONG THE POLICY HOLDERS. Chap.160

Be it enacted, etc., as follows:

Section eighty of chapter one hundred and seventy-five of the General Laws is hereby amended by striking out the first paragraph and inserting in place thereof the following: — From time to time the directors of a mutual fire company

G. L. 175, § 80, amended.

Mutual fire insurance com-

panies, classification of kinds of business written for purpose of apportioning dividends, etc.

may by vote fix and determine the percentages of dividend or expiration return of premium to be paid on expiring policies, which may in their discretion, and with the written approval of the commissioner, be different for policies insuring farm risks, fireproof risks, including risks equipped with automatic sprinkler or fire alarm systems, manufacturing or storage risks and, if the company is authorized to transact the kinds of business specified in the second clause of section forty-seven, for policies insuring automobile, inland marine and ocean marine risks, from those insuring other classes of risks of the same term; but policies insuring risks in this commonwealth in the same classification shall have an equal rate of dividend or return of premium. If an assessment is levied under section eighty-three the rate thereof may be different for policies insuring farm risks, fireproof risks, including risks equipped with automatic sprinkler or fire alarm systems, automobile, inland marine, ocean marine, manufacturing or storage risks from that on policies insuring other classes of risks for the same term; but policies insuring risks in the same class shall have the same rate of assessment. Every policy placed in any of the aforesaid classes of risks shall, when issued, bear an endorsement to the effect that it is so classified.

Approved March 25, 1921.

Chap. 161 AN ACT PROVIDING FOR BIENNIAL MUNICIPAL ELECTIONS IN THE CITY OF MEDFORD.

Be it enacted, etc., as follows:

Biennial municipal elections in city of Medford.

SECTION 1. Beginning with the second Tuesday of December in the year nineteen hundred and twenty-two, municipal elections in the city of Medford, for the choice of the mayor, members of the board of aldermen and members of the school committee shall be held biennially, on the second Tuesday of December in every even-numbered year.

Terms of mayor and aldermen.

SECTION 2. The terms of the mayor and aldermen of said city shall be for two years and until their successors are duly elected and qualified in their stead. The inauguration meeting of the city government shall be held at eight o'clock in the evening, on the first Monday of January following the election of its members; provided that if the first Monday of January falls on a holiday, the said meeting shall take place at the same time on the following day.

Inauguration meeting, when held.

Proviso.

School committee, terms, etc.

SECTION 3. At the biennial municipal election to be held in nineteen hundred and twenty-two, and at every biennial

election thereafter, all members of the school committee to be elected shall be chosen for terms of four years each. The members of the said committee elected in nineteen hundred and twenty, whose terms of office would under existing law expire in the year nineteen hundred and twenty-four shall continue to hold office until the election and qualification of their successors, who shall be elected at the biennial election in the year nineteen hundred and twenty-four.

SECTION 4. The provisions of chapter three hundred and forty-five of the acts of nineteen hundred and three that are inconsistent with this act are hereby repealed. Repeal.

SECTION 5. This act shall be submitted to the voters of the city of Medford for their acceptance at the municipal election in the current year in the form of the following question to be printed on the official ballot: "Shall an act passed by the general court in the year nineteen hundred and twenty-one entitled 'An Act providing for biennial municipal elections in the city of Medford' be accepted?" If a majority of the voters, voting thereon, vote in the affirmative in answer to said question, then this act shall take effect in said city, otherwise it shall not take effect. To be submitted to voters, etc.

Approved March 25, 1921.

AN ACT AUTHORIZING THE TOWN OF PLYMOUTH TO ERECT Chap. 162
A WHARF AND PUBLIC LANDING.

Be it enacted, etc., as follows:

SECTION 1. The town of Plymouth may erect and maintain a wharf and public landing on land now owned by said town or to be acquired by it on the easterly side of Water street at its junction with Park avenue, and for the said purpose may purchase, or take by eminent domain under chapter seventy-nine of the General Laws, land lying between Water street and low water mark in Plymouth harbor and lying north of the northerly line of land owned by said town near the said junction. Town of Plymouth authorized to erect a wharf and public landing.

SECTION 2. The powers conferred by this act may be exercised by the selectmen, who shall also have power to make rules and regulations governing the use of the said wharf as a public landing, and shall have authority to appoint a custodian of the wharf and to fix his compensation to be paid by the town. Selectmen's powers.

Appointment of custodian, etc.

SECTION 3. For the purpose of acquiring said land and of erecting said wharf, the town of Plymouth may borrow, Town of Plymouth, Public Landing

Loan, Act of
1921.

within the statutory limit of indebtedness, such sums as may be necessary, and may issue bonds or notes therefor which shall bear on their face the words, Town of Plymouth Public Landing Loan, Act of 1921. Each authorized issue shall constitute a separate loan and such loan shall be payable in not more than ten years. Any indebtedness incurred under this act shall otherwise be subject to chapter forty-four of the General Laws.

To be sub-
mitted to
voters, etc.

SECTION 4. This act shall be submitted to the voters of the town of Plymouth, at any time within three years after its passage, either at an annual meeting, or at a special meeting called for the purpose by the selectmen in the same manner in which an annual meeting is called; and it shall take effect upon its acceptance by a majority of the voters present and voting thereon; provided that not more than one such special meeting shall be called in any calendar year. So much of this act as authorizes its submission shall take effect upon its passage.

Approved March 25, 1921.

Proviso.

Chap.163 AN ACT TO MAKE UNIFORM THE AWARDING OF COMPENSATION TO SPECIAL MASTERS.

Be it enacted, etc., as follows:

G. L. 221, § 55,
amended.

Section fifty-five of chapter two hundred and twenty-one of the General Laws is hereby amended by striking out, in the first line, the words "or superior court", and inserting in place thereof the words:— court, the superior court or the probate court,— so as to read as follows:— *Section 55.* The supreme judicial court, the superior court or the probate court shall award reasonable compensation to commissioners, assessors, referees, masters in chancery and special masters, for duties performed under the direction of said court, and to arbitrators appointed under chapter two hundred and fifty-one upon whose awards judgment is entered, which shall be paid by the counties in which they are appointed. Reasonable traveling expenses shall also be allowed in the same manner as is provided for auditors.

Approved March 25, 1921.

Compensation
of masters,
etc.

Chap.164 AN ACT RELATIVE TO THE POWERS OF OFFICERS AND INSPECTORS OF THE DEPARTMENT OF PUBLIC SAFETY.

Be it enacted, etc., as follows:

G. L. 147, § 2,
amended.

Chapter one hundred and forty-seven of the General Laws is hereby amended by striking out section two and

inserting in place thereof the following:— *Section 2.* All officers and inspectors of the department shall have and exercise throughout the commonwealth the powers of constables, police officers and watchmen, except as to service of civil process. The governor may command their services in suppressing riots and in preserving the peace. The commissioner may detail any officer or inspector in the division of inspection or in the division of fire prevention for temporary service in the division of state police. The commissioner, with the approval of the governor, may authorize the officers and inspectors of the department to carry badges, revolvers, clubs, handcuffs and twisters, or such other articles as may be required in the performance of their duties.

Department of public safety, powers of officers and inspectors.

Approved March 25, 1921.

AN ACT RELATIVE TO THE ALLOWANCE OF AGENTS' BAL-
ANCES ON FOREIGN BUSINESS AS ASSETS OF INSURANCE
COMPANIES. *Chap. 165*

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter one hundred and seventy-five of the General Laws is hereby amended by inserting after the word "due", in the forty-third line, the words: —, or in the case of business originating outside the North American continent, Hawaii, Porto Rico, Cuba and the West Indies not more than six months due, — so that the paragraph included within lines thirty-eight to forty-six, inclusive, will read as follows:— "Net assets", the funds of a company available for the payment of its obligations in the commonwealth, including, in the case of a mutual fire company, its deposit notes or other contingent funds, and, in the case of a mutual marine company its subscription fund and premium notes absolutely due, and also including uncollected and deferred premiums not more than three months due, or in the case of business originating outside the North American continent, Hawaii, Porto Rico, Cuba and the West Indies not more than six months due, on policies actually in force, after deducting from such funds all unpaid losses and claims, and claims for losses, and all other debts and liabilities inclusive of net value of policies and exclusive of capital.

G. L. 175, § 1, amended.

Insurance definitions.

SECTION 2. Section twenty-five of said chapter one hundred and seventy-five is hereby amended by striking out item thirty-two (b) in form A thereof and inserting in place

G. L. 175, § 25, amended.

Change in Form A,

annual state-
ment of
insurance
companies.

thereof the following: — (b) agents' balances representing business written within the North American continent, Hawaii, Porto Rico, Cuba and the West Indies, prior to October first and agents' balances representing business written elsewhere prior to July first.

Approved March 25, 1921.

Chap. 166 AN ACT RELATIVE TO THE COLLECTION OF CERTAIN CHARGES AND FEES BY THE COMMISSIONER OF INSURANCE.

Be it enacted, etc., as follows:

G. L. 175, § 14,
amended.

Collection of
certain charges
and fees by
the commis-
sioner of
insurance.

Section fourteen of chapter one hundred and seventy-five of the General Laws is hereby amended by striking out, in the twenty-third line, the word "twelve", and inserting in place thereof the words:— twenty cents a page and for copies of tabulations forty, — so as to read as follows:—
Section 14. He shall collect and pay to the commonwealth charges and fees as follows: for valuation of life policies of a domestic company, two and one half mills for each thousand dollars of insurance; for each examination prior to granting a license or a certificate of authority to issue policies of insurance or annuity or pure endowment contracts as provided in sections four and thirty-two, thirty dollars; for filing copy of charter or deed of settlement of each foreign company under section one hundred and fifty-one, thirty dollars; and for filing financial statement with application for admission under section one hundred and fifty-one and for each annual statement under section twenty-five, twenty dollars; for each license or renewal thereof to a special insurance broker under section one hundred and sixty-eight, twenty dollars; for each license or renewal thereof to an insurance broker under section one hundred and sixty-six, ten dollars; for each license or renewal thereof to an insurance agent of a foreign company under section one hundred and sixty-three, two dollars; for each license or renewal thereof to an adjuster of fire losses under section one hundred and seventy-two, two dollars; for each certificate of the valuation of the policies of any life company and for each certificate of the examination, condition or qualification of a company, two dollars; for each certificate issued under section sixteen, two dollars; for each service of lawful process upon him as attorney, under section one hundred and fifty-one, two dollars; for each copy of any paper on file in his office, twenty cents a page and for copies of tabulations forty cents a page

and one dollar for certifying the same; and all other fees and charges due and payable to the commonwealth for any official act or service of the commissioner.

Approved March 25, 1921.

AN ACT EXEMPTING CERTAIN CORPORATIONS FROM THE *Chap. 167*
INSURANCE LAWS.

Be it enacted, etc., as follows:

Section one hundred and eighteen of chapter one hundred and seventy-five of the General Laws is hereby amended by inserting after the word "survivors", in the thirteenth line, the words: — ; provided that corporations incorporated for any educational, charitable, benevolent or religious purpose shall not be deemed life companies and shall not be subject to this chapter, — so as to read as follows: — *Section 118.* All companies doing business in the commonwealth under any charter, compact, agreement or statute of this or any other state, involving the payment of money or other thing of value to families or representatives of policy and certificate holders or members, conditioned upon the continuance or cessation of human life, or involving an insurance, guaranty, contract or pledge for the payment of endowments or annuities, shall be deemed to be life companies, and shall not make any such insurance, guaranty, contract or pledge in the commonwealth, or to or with any resident thereof, which does not distinctly state the amount of benefits payable, the manner of payment and the consideration therefor, nor any such insurance, guaranty, contract or pledge the performance of which is contingent upon the payment of assessments made upon survivors; provided that corporations incorporated for any educational, charitable, benevolent or religious purpose shall not be deemed life companies and shall not be subject to this chapter. Nothing herein relating to the consideration for the policy shall apply to any extra compensation which may be charged by a company to the insured for engaging in military or naval service in time of war.

G. L. 175,
§ 118,
amended.

Definition of
life insurance
company.

Proviso.

All life insurance hereafter transacted by the corporations which formerly issued policies on the assessment plan under chapter four hundred and twenty-one of the acts of eighteen hundred and ninety and acts in amendment thereof shall be carried on in accordance with this chapter; but such corporations may carry out in good faith their assessment contracts made with their members prior to July first, eighteen hundred and ninety-nine.

Corporations
on the assess-
ment plan.

Approved March 25, 1921.

Chap.168 AN ACT TO PROTECT PERSONS ENTITLED TO THE PROCEEDS OF LIFE INSURANCE AND ANNUITY POLICIES AND THE INCOME THEREFROM WHEN RETAINED BY LIFE INSURANCE COMPANIES.

Be it enacted, etc., as follows:

G. L. 175, new section after § 119.

Proceeds of life insurance and annuity policies and the income arising therefrom, persons entitled to, protected.

Chapter one hundred and seventy-five of the General Laws is hereby amended by inserting after section one hundred and nineteen the following new section: — *Section 119A.* If, under the terms of any annuity contract or policy of life insurance, or under any written agreement supplemental thereto, issued by any domestic life company, the proceeds are retained by such company at maturity or otherwise, no person entitled to any part of such proceeds, or any installment of interest due or to become due thereon, shall be permitted to commute, anticipate, encumber, alienate or assign the same, or any part thereof, if such permission is expressly withheld by the terms of such contract, policy or supplemental agreement; and if such contract, policy or supplemental agreement so provides, no payments of interest or of principal shall be in any way subject to such person's debts, contracts or engagements, nor to any judicial processes to levy upon or attach the same for payment thereof. No such company shall be required to segregate such funds but may hold them as a part of its general corporate funds.

Approved March 25, 1921.

Chap.169 AN ACT AUTHORIZING THE CITY OF BOSTON TO UTILIZE SCHOOLHOUSE PROPERTY AS WAR MEMORIAL BUILDINGS AND THE LIKE.

Be it enacted, etc., as follows:

City of Boston may utilize schoolhouse property as war memorial buildings.

SECTION 1. The mayor of the city of Boston, the school committee and the schoolhouse commissioners of said city, acting jointly, are hereby established and created a board with power to transfer to the mayor and city council of said city, for the purpose of providing quarters for, or the erection thereon of memorial buildings to, the veterans of the Civil, Spanish or World War, the custody and control of any land or buildings owned by said city and heretofore used for school purposes, which at the time of transfer are not needed for such purposes, and as to which the school committee, by a

majority vote of all its members, has voted that it is advisable to so transfer such custody and control.

SECTION 2. This act shall take effect upon its acceptance by the city council of said city, subject to the provisions of its charter, provided that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to the city council, etc.
Proviso.

Approved March 25, 1921.

AN ACT RELATIVE TO THE DISTRIBUTION OF COPIES OF THE JOURNALS OF THE HOUSE OF REPRESENTATIVES OF MASSACHUSETTS FROM SEVENTEEN HUNDRED AND FIFTEEN TO SEVENTEEN HUNDRED AND EIGHTY.

Chap. 170

Be it enacted, etc., as follows:

Chapter four hundred and thirteen of the acts of nineteen hundred and twenty is hereby amended by striking out section two and inserting in place thereof the following:—

1920, 413, § 2,
amended.

Section 2. The volumes purchased as aforesaid shall be distributed by the secretary of the commonwealth as follows: One copy to the office of the said secretary; one to the state library; one to the free public library of each city and town in the commonwealth; one to the library of congress; one to any library which has contributed to the work by allowing its original journals to be used in preparation of the said publication; twenty-five copies to the librarian of the state library for purpose of exchange; and the remainder at the discretion of the secretary to state and territorial libraries and incorporated colleges and historical societies in the commonwealth.

Distribution of journals of house of representatives of Massachusetts Bay from 1715 to 1780.

Approved March 25, 1921.

AN ACT RELATIVE TO THE DISTRIBUTION OF COPIES OF TOWN RECORDS OF BIRTHS, MARRIAGES AND DEATHS PREVIOUS TO THE YEAR EIGHTEEN HUNDRED AND FIFTY.

Chap. 171

Be it enacted, etc., as follows:

Chapter five hundred and sixty-two of the acts of nineteen hundred and twenty is hereby amended by striking out section two and inserting in place thereof the following:—

1920, 562, § 2,
amended.

Section 2. The volumes purchased as aforesaid shall be distributed by the secretary of the commonwealth as follows: One copy to the office of the said secretary; one to the state library; one to the free public library of each city and town in the commonwealth; one to each registry of deeds in the commonwealth; one to the land court; one to the library

Distribution of vital records of towns previous to 1850.

of congress; twenty-five copies to the librarian of the state library for the purpose of exchange; and the remainder at the discretion of the secretary to state and territorial libraries and incorporated colleges and historical societies in the commonwealth.

Approved March 25, 1921.

Chap. 172 AN ACT RELATIVE TO THE MERGER OF INSURANCE COMPANIES.

Be it enacted, etc., as follows:

G. L. 175, new
section after
§ 19.

Merger of in-
surance
companies.

Assent of
directors and
stockholders.

Agreement,
when valid.

Chapter one hundred and seventy-five of the General Laws is hereby amended by inserting after section nineteen the following new section to be numbered nineteen A:—
Section 19A. Two or more domestic companies may merge or consolidate into one corporation, the title of which shall be approved by the commissioner. With the approval of the commissioner a domestic company may also be merged or consolidated with any company or companies organized under the law of any state of the United States into one corporation. In either case the companies may enter into and make an agreement for such merger or consolidation, prescribing its terms and conditions, the amount of its capital, if any, which shall not be a larger amount than the aggregate amount of capital of the merged or consolidated companies, and the number of shares into which it is to be divided. Such agreement shall be assented to by a vote of the majority of the board of directors of each company and approved by the votes of the stockholders, if any, owning at least two thirds of the stock of each company at a meeting called for the purpose, notice of which meeting shall be given in accordance with law, and also published at least once a week for three successive weeks in some newspaper printed in the commonwealth, and if any of the merging or consolidating companies are domiciled outside of the commonwealth, at least once a week for three successive weeks in some newspaper printed in the town where such company has its principal office, or if there are no stockholders, by the votes of at least two thirds of the policy holders present or represented at a meeting called for the purpose, notice of which meeting shall be given as hereinbefore provided. No such agreement shall be valid until approved in writing by the commissioner. The new company may require the return of the original certificates of stock held by each stockholder in each of the companies to be merged or consolidated

and issue in lieu thereof new certificates for such number of shares of its own stock as the stockholder may be entitled to receive. Upon such merger or consolidation all rights and properties of the several companies shall accrue to and become the property of the new company which shall succeed to all the obligations and liabilities of the merged or consolidated companies in the same manner as if they had been incurred or contracted by it. The stockholders and policy holders of the merged or consolidated companies shall continue to be subject to all the liabilities, claims and demands existing against them at or before such merger or consolidation. No action or proceeding pending at the time of the merger or consolidation in which any or all of the companies merged or consolidated may be a party shall abate or be discontinued by reason of the merger or consolidation, but the same may be prosecuted to final judgment in the same manner as if the merger or consolidation had not taken place, or the new company may be substituted in place of any company so merged or consolidated by order of the court in which the action or proceeding may be pending. Nothing in this section shall authorize the merger or consolidation of stock companies with mutual companies.

Liability of stockholders and policy holders to continue.

Stock and mutual companies not to merge.

Approved March 25, 1921.

AN ACT RELATIVE TO THE COMMITMENT OF SCHOOL OFFENDERS IN THE CITY OF BOSTON. Chap. 173

Be it enacted, etc., as follows:

Section one of chapter seventy-seven of the General Laws is hereby amended by inserting after the word "from", in the eighteenth line, the word: — Boston, — and by inserting after the word "but", in the twenty-fourth line, the word: — Boston, — so as to read as follows: — *Section 1.* The county commissioners of each county, except Barnstable, Berkshire, Franklin, Hampshire, Dukes, Nantucket and Suffolk, shall maintain either separately or jointly with the commissioners of other counties as hereinafter provided, in a suitable place, remote from a penal institution, a school for the instruction and training of children committed thereto as habitual truants, absentees or school offenders. The commissioners of two or more counties may, at the expense of said counties, establish and maintain a union school to be controlled by the chairmen of the commissioners of said counties. The chairmen of the commissioners of Norfolk,

G. L. 77, § 1, amended.

Certain counties to maintain training schools. Commitments from and payments by other counties.

Commitments
from Boston,
Chelsea, Revere
and Winthrop.

Bristol and Plymouth counties, having the management of the Norfolk, Bristol and Plymouth union training school, shall each be paid the sum of one hundred dollars annually by their respective counties. The commissioners of Barnstable, Berkshire, Franklin, Hampshire, Dukes and Nantucket counties shall assign a training school established by law as the place for the instruction and training of children so committed within their respective counties, and shall pay for their support in said school such reasonable sum as the commissioners having control of said school may fix. Commitments from Boston, Chelsea, Revere and Winthrop shall be to the training school for Middlesex county. The town from which an habitual truant, absentee or school offender is committed to a county training school shall pay to the county maintaining it two dollars a week toward his support, and reports of the condition and progress of its pupils in said school shall be sent each month to the superintendent of schools of such town; but Boston, Chelsea, Revere and Winthrop shall pay to Middlesex county, for the support of each child committed to the training school of said county, two dollars and fifty cents a week, and an additional sum for each child sufficient to cover the actual cost of maintenance.

Approved March 25, 1921.

Chap.174 AN ACT TO PLACE THE CHIEF ENGINEER OF THE FIRE DEPARTMENT OF THE CITY OF MEDFORD UNDER CIVIL SERVICE.

Be it enacted, etc., as follows:

Chief engineer
of fire depart-
ment of Med-
ford placed
under civil
service.

SECTION 1. The office of chief engineer of the fire department of the city of Medford shall hereafter be subject to the civil service laws, and rules and regulations made thereunder, but the present incumbent may continue to hold office without examination.

To be sub-
mitted to the
voters, etc.

SECTION 2. This act shall take effect upon its acceptance by the voters of said city at its next municipal election. The question shall be submitted to the voters on the ballot in the following form: — “Shall chapter of the acts of nineteen hundred and twenty-one placing the chief engineer of the fire department under civil service be accepted?” If accepted by a majority of the voters voting thereon it shall take effect, otherwise it shall not take effect.

YES	
NO.	

Approved March 25, 1921.

AN ACT AUTHORIZING THE CITY OF NEW BEDFORD TO INCUR *Chap.175*
INDEBTEDNESS FOR SEWERAGE PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. For the purposes of sewer construction, the city of New Bedford may from time to time borrow such sums as may be necessary, not exceeding, in the aggregate, one hundred thousand dollars, and may issue bonds or notes therefor which shall bear on their face the words, New Bedford Sewer Loan, Act of 1921. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall otherwise be subject to chapter forty-four of the General Laws.

New Bedford may incur indebtedness for sewerage purposes.

New Bedford Sewer Loan, Act of 1921.

SECTION 2. This act shall take effect upon its passage.

Approved March 29, 1921.

AN ACT AUTHORIZING THE ABATEMENT OF CERTAIN BETTERMENT ASSESSMENTS IN THE CITY OF ATTLEBORO. *Chap.176*

Be it enacted, etc., as follows:

SECTION 1. The municipal council of the city of Attleboro may abate the whole or a proportionate part, as it may determine, of all assessments for betterments made under authority of Part I of chapter one hundred and eighty-seven of the Special Acts of nineteen hundred and eighteen or of chapter two hundred and eight of the Special Acts of nineteen hundred and nineteen, or both. If any of such assessments have already been paid, the city treasurer of said city is hereby authorized to refund the whole or a proportionate part thereof in accordance with the aforesaid determination of the municipal council.

Abatement of certain betterment assessments in Attleboro.

SECTION 2. This act shall take effect upon its acceptance by a majority vote of the municipal council of the city of Attleboro, subject to the approval of the mayor.

To be submitted to municipal council, etc.

Approved March 29, 1921.

AN ACT AUTHORIZING THE WORCESTER COUNTY INSTITUTION FOR SAVINGS TO ACQUIRE ADDITIONAL REAL ESTATE SUITABLE FOR THE TRANSACTION OF ITS BUSINESS. *Chap.177*

Be it enacted, etc., as follows:

The Worcester County Institution for Savings, incorporated by chapter fifty of the acts of eighteen hundred and

Worcester county institution for savings may

acquire additional real estate, etc.

twenty-seven, approved on the eighth day of February, eighteen hundred and twenty-eight, may invest its deposits, to an amount not exceeding one million dollars, in the purchase of an additional suitable site and the erection or preparation of a suitable building in the city of Worcester for the transaction of its business. *Approved March 29, 1921.*

Chap. 178 AN ACT TO AUTHORIZE AMHERST COLLEGE TO HOLD ADDITIONAL PROPERTY.

Be it enacted, etc., as follows:

Amherst College authorized to hold additional property.

The Trustees of Amherst College, for the purpose set forth in the act establishing said college, being chapter eighty-four of the acts of eighteen hundred and twenty-four, and in the several acts in addition thereto, are hereby authorized to acquire by gift, grant, bequest, devise or otherwise, lands, tenements or other estate, real or personal, and to hold, manage, and from time to time to invest and re-invest the same, or the proceeds of any sale thereof, for the purposes aforesaid; provided that the net annual income of all the property so held shall not exceed the sum of one million dollars. *Approved March 29, 1921.*

Chap. 179 AN ACT TO INCREASE THE POWERS OF MILTON ACADEMY TO HOLD AND CONVEY REAL AND PERSONAL ESTATE.

Be it enacted, etc., as follows:

1900, 208, § 1, amended.

Milton Academy empowered to hold and convey real and personal estate.

Chapter two hundred and eight of the acts of nineteen hundred is hereby amended by striking out section one and inserting in place thereof the following:— *Section 1.* The Trustees of Milton Academy may accept, receive and take, by gift, grant, devise or otherwise, and may hold any real and personal estate within or without the commonwealth to an amount not exceeding three million dollars, and may sell and dispose at its discretion of any real or personal estate within or without the commonwealth which has been or may hereafter be given, granted or devised to it, or which is held by it and not expressly forbidden to be so sold or disposed of by the terms of the gift, grant, devise or receipt thereof. *Approved March 29, 1921.*

AN ACT TO AUTHORIZE THE TRUSTEES OF MOUNT HOLYOKE COLLEGE TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE. *Chap.180*

Be it enacted, etc., as follows:

Section one of chapter ninety of the acts of eighteen hundred and ninety-four, as amended by section one of chapter one hundred and two of the acts of nineteen hundred and ten and by chapter one hundred and twenty-two of the Special Acts of nineteen hundred and seventeen, is hereby further amended by striking out, in the third line, the word "seven", and inserting in place thereof the word: — ten, — so as to read as follows:— *Section 1.* The Trustees of Mount Holyoke College are hereby authorized to hold real and personal estate to an amount not exceeding ten million dollars.

1894, 90, § 1,
etc., amended.

Mount
Holyoke
College may
hold additional
estate.

Approved March 29, 1921.

AN ACT TO ENLARGE THE POWERS OF THE MASSACHUSETTS MEDICAL SOCIETY. *Chap.181*

Be it enacted, etc., as follows:

The Massachusetts Medical Society is authorized to engage in the publication and distribution of a journal or periodical to be devoted mainly to medical and surgical science.

Massachusetts
Medical
Society,
powers en-
larged.

Approved March 29, 1921.

AN ACT AUTHORIZING THE CITY OF BROCKTON TO INCUR INDEBTEDNESS FOR SEWERAGE PURPOSES. *Chap.182*

Be it enacted, etc., as follows:

SECTION 1. The city of Brockton, for the purposes specified in chapter two hundred and forty-seven of the acts of eighteen hundred and ninety-two, may from time to time borrow such sums as may be necessary not exceeding, in the aggregate, two hundred thousand dollars in addition to amounts previously authorized, and may issue bonds or notes therefor which shall bear on their face the words, Brockton Sewerage Loan, Act of 1921. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall otherwise be subject to chapter forty-four of the General Laws.

Brockton may
incur in-
debtedness for
sewerage
purposes.

Brockton
Sewerage
Loan, Act of
1921.

SECTION 2. This act shall take effect upon its passage.

Approved March 30, 1921.

Chap.183 AN ACT AUTHORIZING THE TOWN OF ACUSHNET TO MAKE
AN ADDITIONAL WATER LOAN.

Be it enacted, etc., as follows:

Acushnet may
make addi-
tional water
loan.

Acushnet
Water Loan,
Act of 1921.

SECTION 1. For the purpose of extending its water mains and improving its water distribution facilities, the town of Acushnet may from time to time borrow such sums as may be necessary not exceeding in the aggregate thirty-five thousand dollars, and may issue bonds or notes therefor which shall bear on their face the words, Acushnet Water Loan, Act of 1921. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than thirty years. Any debt incurred under this act shall be outside the statutory limit, but shall otherwise be subject to chapter forty-four of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved March 30, 1921.

Chap.184 AN ACT AUTHORIZING THE CITY OF BROCKTON TO MAKE AN
ADDITIONAL SURFACE DRAINAGE LOAN.

Be it enacted, etc., as follows:

Brockton may
make addi-
tional surface
drainage loan.

Brockton Sur-
face Drainage
Loan, Act of
1921.

SECTION 1. For the purpose of constructing surface drainage sewers, the city of Brockton may from time to time borrow such sums as may be necessary not exceeding, in the aggregate, two hundred thousand dollars in addition to amounts previously authorized, and may issue bonds or notes therefor, which shall bear on their face the words, Brockton Surface Drainage Loan, Act of 1921. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall otherwise be subject to chapter forty-four of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved March 30, 1921.

Chap.185 AN ACT AUTHORIZING THE APPORTIONMENT OF THE EX-
PENSE INCURRED BY THE COUNTY OF MIDDLESEX FOR A
TUBERCULOSIS HOSPITAL.

Be it enacted, etc., as follows:

County of
Middlesex,
apportionment
of expense

SECTION 1. The county commissioners of the county of Middlesex may at any time after the passage of this act, and

from time to time thereafter, determine the net amount of the expenditures theretofore made and the indebtedness, including interest, theretofore incurred on account of the proposed construction of a hospital for the care of persons suffering from consumption, under the provisions of sections seventy-eight to ninety-one, inclusive, of chapter one hundred and eleven of the General Laws, or corresponding provisions of earlier laws, after deducting from the gross amount of such expenditures and indebtedness the proceeds of any receipts on account of the same and any receipts from the sale of any property theretofore acquired for said purpose, which sales said commissioners are hereby authorized in their discretion to make, and may from time to time apportion to the cities and towns in said county, except the cities of Cambridge, Lowell and Somerville, the net amount of such expenditures and indebtedness so determined, in accordance with their valuation used in assessing the county taxes; and each of such cities and towns shall pay the sum so apportioned to it into the treasury of said county in such manner and in such instalments as the said county commissioners shall by special order direct. The county commissioners shall have the remedies for the collection of sums so apportioned, and the several cities and towns shall have the right to incur indebtedness to provide funds for the payment thereof, provided in sections eighty-three and eighty-four of said chapter one hundred and eleven. If and when such hospital shall be completed and equipped, the said county commissioners shall determine the total cost of the same, together with the interest paid or due on bonds or notes of said county issued therefor, and shall deduct therefrom the sum of the apportionments previously made under the provisions of this act, and the balance of said cost and interest shall be apportioned to, collected from and paid by said cities and towns in the manner provided in section eighty-three of said chapter one hundred and eleven; and such cities and towns may, if they see fit, borrow money to make said payments in the manner provided in section eighty-four of said chapter one hundred and eleven. All the said cities and towns of said county, except the cities of Cambridge, Lowell and Somerville, are hereby determined to comprise the hospital district intended to be served by such hospital, and to be subject to the duties and obligations imposed by said chapter one hundred and eleven in relation to county tuberculosis hospitals, and by this act.

incurred for a tuberculosis hospital.

Remedies for collection of sums apportioned, etc.

Money may be borrowed by cities and towns.

Hospital district.

Repeal.

SECTION 2. Section two of chapter five hundred and thirty-two of the acts of nineteen hundred and twenty is hereby repealed.

SECTION 3. This act shall take effect upon its passage.

Approved March 30, 1921.

Chap.186 AN ACT AUTHORIZING THE TOWN OF PLYMOUTH TO PROVIDE FOR THE REGULATION AND LICENSING OF PUBLIC GUIDES.

Be it enacted, etc., as follows:

Regulation
and licensing
of public guides
in Plymouth.

SECTION 1. The town of Plymouth may, by by-law, to which the relevant provisions of sections twenty-one to thirty-two, inclusive, of chapter forty of the General Laws shall apply, provide for the regulation and licensing of persons acting as public guides therein.

SECTION 2. This act shall take effect upon its passage.

Approved March 30, 1921.

Chap.187 AN ACT TO PROVIDE FOR PENSIONING JANITORS EMPLOYED BY THE CITY OF FALL RIVER.

Be it enacted, etc., as follows:

Pensioning
janitors em-
ployed by city
of Fall River.

SECTION 1. The head of any city department or any board of trustees of the city of Fall River may retire with an annual pension any janitor in the service of the city at the time of the passage of this act, who has been employed by the city for not less than twenty-five years, who has reached the age of sixty years and who has become physically incapacitated. The pension shall be equal to one half the compensation to which the pensioner would have been entitled for full employment during the last year of his service, but in no case shall it exceed five hundred dollars per year. The amount necessary to carry out the provisions of this act shall be appropriated annually by the board of aldermen.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided that such acceptance occurs prior to December thirty-first in the current year.

Approved March 30, 1921.

To be sub-
mitted to city
council, etc.

Proviso.

AN ACT RELATIVE TO RESTRICTIONS ON THE TAKING OF *Chap.188*
FRESH WATER FISH.

Be it enacted, etc., as follows:

Chapter one hundred and thirty of the General Laws is hereby amended by inserting after section seventy-eight, a new section to be numbered seventy-eight A: — *Section 78A.* No person shall take, sell, offer for sale or have in his possession more than six black bass, fifteen pickerel, forty horned pout, forty yellow perch or five wall eyed pike taken from the waters of the commonwealth in any one day. Whoever violates this section shall be punished by a fine of not more than ten dollars for every fish so unlawfully taken, sold, offered for sale or had in possession.

G. L. 130, new section after § 78.

Restrictions on taking fresh water fish.

Penalty.

Approved March 30, 1921.

AN ACT RELATIVE TO LIGHTS ON MOTOR CYCLES WITH *Chap.189*
SIDE-CARS.

Be it enacted, etc., as follows:

Section seven of chapter ninety of the General Laws is hereby amended by inserting after the word "tint", in the twentieth line, the words: — and every such motor cycle with a side-car attached, in addition, one such light on the front of the side-car, — so as to read as follows: — *Section 7.* Every motor vehicle of more than ten horse power operated in or on any way shall be provided with at least two brakes, powerful in action and separated from each other, of which one brake shall act directly on the driving wheels or on parts of the mechanism which are firmly connected with said wheels. Each of the two brakes shall suffice alone to stop the motor vehicle within a proper distance. One of the two brakes shall be so arranged as to be operated with the foot. Every automobile of not more than ten horse power and every motor cycle shall be provided with at least one brake. Every motor vehicle so operated shall be provided with a muffler or other suitable device to prevent unnecessary noise and with a suitable bell, horn or other means of signalling, and with suitable lamps; and automobiles shall be provided with a lock, a ratchet brake which can be set, a key or other device to prevent such vehicle from being set in motion by unauthorized persons, or otherwise, contrary to the will of the owner or person in charge thereof. Every automobile operated during the period from one half an hour after sunset to

G. L. 90, § 7, amended.

Motor vehicles.

Brakes.

Mufflers and other equipment.

Lights.

Mirrors or
reflectors.

one half an hour before sunrise shall display at least two white lights, or lights of yellow or amber tint, and every motor cycle so operated at least one white light, or light of yellow or amber tint, and every such motor cycle with a side-car attached, in addition, one such light on the front of the side-car, which shall be visible not less than two hundred feet in the direction toward which the vehicle is proceeding; and every such motor vehicle shall display at least one red light in the reverse direction. Every automobile so operated shall have a rear light so placed as to show a red light from behind and a white light so arranged as to illuminate and not obscure the rear register number. Every automobile used for the carriage of passengers for hire, and every commercial motor vehicle or motor truck, so constructed, equipped or loaded that the person operating the same is prevented from having a constantly free and unobstructed view of the highway immediately in the rear, shall have attached to the vehicle a mirror or reflector so placed and adjusted as to afford the operator a clear, reflected view of the highway in the rear of the vehicle.

Approved March 30, 1921.

Chap. 190 AN ACT REQUIRING DOMESTIC INSURANCE COMPANIES TO COMPLY WITH CERTAIN PREREQUISITES BEFORE ISSUING POLICIES.

Be it enacted, etc., as follows:

G. L. 175,
§ 32, amended.

Domestic
insurance
companies
must comply
with certain
prerequisites
before issuing
policies.

Chapter one hundred and seventy-five of the General Laws is hereby amended by striking out section thirty-two and inserting in place thereof the following: — *Section 32.* No domestic company shall issue policies of insurance or annuity or pure endowment contracts until, upon examination by the commissioner, his deputy or examiner, it is found to have complied with the laws of the commonwealth, adopted a proper system of accounting, employed a competent accountant and a competent and experienced underwriter, and to be without liabilities except such organization expenses as the commissioner shall certify as reasonable, and except, if a stock company or a mutual company with a guaranty capital, its liabilities to stockholders for the amount paid in for shares of stock, nor until it has obtained from the commissioner a certificate stating that it has complied with the foregoing conditions and all other laws, and authorizing it to issue such policies or contracts.

Approved March 30, 1921.

AN ACT AUTHORIZING THE BOARD OF STREET COMMISSIONERS OF THE CITY OF BOSTON TO MAKE REGULATIONS RELATIVE TO STREET STANDS IN FANEUIL HALL MARKET. *Chap. 191*

Be it enacted, etc., as follows:

SECTION 1. Subject to the limitations hereinafter set forth, the board of street commissioners of the city of Boston may make reasonable regulations governing the occupation of street stands within the limits of Faneuil Hall Market in said city and may set the time for the opening and closing of said stands. Any person occupying a street stand or any place within the limits of said market for the sale of fresh provisions or perishable produce or having in his possession fresh provisions or perishable produce with intent to sell the same within said limits, except during the hours and in accordance with the regulations established by said board shall be punished by a fine not exceeding twenty dollars for the first offence, and not exceeding one hundred dollars for each subsequent offence, and should such person be unknown to the police officer witnessing such use or occupation, he may be arrested by the officer without a warrant. But no such regulation shall exclude from the occupation of street stands in said market, between the hours of four o'clock in the morning and five o'clock in the afternoon, except on Sundays and holidays or upon the occurrence of some extraordinary emergency, any person whose sole purpose it is to sell fresh provisions or perishable produce which are the product of his own farm or of some farm within ten miles of his residence or any person selling such provisions or produce at wholesale only for some person or persons not residing or having a usual place of business within eight miles of said market, or as agent for such person or persons, or any person selling meats at wholesale only derived from animals by him slaughtered.

Board of street commissioners in Boston to regulate street stands in Faneuil Hall Market.

Penalty.

Certain occupations exempt from regulations.

SECTION 2. Chapter two hundred and eleven of the acts of eighteen hundred and fifty-nine, as amended by chapter one hundred and fifty-two of the acts of eighteen hundred and sixty, is hereby repealed, and any existing by-laws, ordinances or regulations inconsistent with the provisions of section one are hereby annulled; but this act shall not be construed to annul or prohibit reasonable rules of police which may be required for the convenience and good order of the market and for the proper conduct of those who buy or sell therein.

Repeal.

Act, how construed.

Approved March 30, 1921.

Chap.192 AN ACT AUTHORIZING THE COUNTY OF SUFFOLK TO RETIRE
AND PENSION WILLIAM S. FOSTER.

Be it enacted, etc., as follows:

County of
Suffolk may
pension
William S.
Foster.

SECTION 1. The county of Suffolk may retire William S. Foster, who has served the county as janitor in its court house for the past twenty-eight years, on an annual pension equal to one half of the salary received by him at the time of his retirement.

To be sub-
mitted to the
city council,
etc.
Proviso.

SECTION 2. This act shall take effect upon its acceptance by the city council of the city of Boston, subject to the provisions of its charter; provided that such acceptance occurs prior to December thirty-first in the current year.

Approved March 30, 1921.

Chap.193 AN ACT PROVIDING AN ANNUITY FOR MAURICE FITZGERALD,
FORMERLY SHERIFF OF THE COUNTY OF HAMPSHIRE.

Be it enacted, etc., as follows:

Hampshire
county may
pay an
annuity to
Maurice Fitz-
gerald.

Proviso.

Upon the acceptance of this act by the county commissioners of the county of Hampshire, there shall be paid by said county to Maurice Fitzgerald, for ten years sheriff of said county, an annuity of seven hundred and fifty dollars for the term of his life; provided that the town of Ware, if the town so votes, may contribute toward said annuity, an annual sum not exceeding three hundred and seventy-five dollars.

Approved March 30, 1921.

Chap.194 AN ACT RELATIVE TO THE MAXIMUM LIABILITY OF A PERSON
TO A TRUST COMPANY.

Be it enacted, etc., as follows:

G. L. 172, § 40,
amended.

Section forty of chapter one hundred and seventy-two of the General Laws is hereby amended by inserting after the word "up", in the tenth line, the words: — , or one tenth part of the surplus account and of such amount of the capital stock of such corporation as is actually paid up, — so as to read as follows: — *Section 40.* The total liabilities of a person, other than cities or towns, including in the liabilities of a firm the liabilities of its several members, for money borrowed from and drafts drawn on any such corporation having a capital stock of five hundred thousand dollars or more shall at no time exceed one fifth part of the surplus

Liabilities of
any person to
a trust com-
pany limited,
etc.

account and of such amount of the capital stock of such corporation as is actually paid up. Such total liabilities to any such corporation having a capital stock of less than five hundred thousand dollars shall at no time exceed one fifth of such amount of the capital stock of the corporation as is actually paid up, or one tenth part of the surplus account and of such amount of the capital stock of such corporation as is actually paid up; but the discount of bills of exchange drawn in good faith against actually existing values, and the discount of commercial or business paper actually owned by the person negotiating it, shall not be considered as money borrowed. The total liabilities to any one such corporation of any government, either foreign or domestic, other than the government of the United States of America or of this commonwealth, shall not exceed one tenth part of the surplus account and of such amount of the capital stock of such corporation as is actually paid up, and no trust company shall invest or advance an aggregate amount exceeding at any one time twenty per cent of its surplus account and paid up capital stock in such securities and evidences of indebtedness.

Liabilities
of certain
governments
limited, etc.

Approved March 30, 1921.

AN ACT RELATIVE TO THE RELIEF ASSOCIATION IN NANTUCKET. *Chap.195*

Be it enacted, etc., as follows:

The corporation known as the Relief Association situated in the town of Nantucket, and incorporated under general law, may be appointed trustee or substituted trustee under a will or instrument creating a trust for the care and management of property to an amount not exceeding that allowed by law, under the same circumstances, in the same manner and subject to the same control by the court having jurisdiction of the same, as a legally qualified person.

Relief Association, in Nantucket, may be appointed trustee.

Approved March 30, 1921.

AN ACT TO PROVIDE FOR REMOVING OR PLACING UNDERGROUND CERTAIN WIRES AND ELECTRICAL APPLIANCES IN THE CITY OF BOSTON. *Chap.196*

Be it enacted, etc., as follows:

SECTION 1. In the month of January in the year nineteen hundred and twenty-two and in said month in each

Certain wires and electrical appliances to

be placed
underground
in Boston.

year thereafter, to and including the year nineteen hundred and twenty-six, the fire commissioner of the city of Boston shall prescribe and give public notice thereof in at least two daily newspapers in said city, by advertisement therein, twice a week for two weeks in succession, of not more than four miles of streets in any one year, from which poles shall be removed and the wires buried underground, except such poles and wires as are excepted in chapter three hundred and sixty-four of the acts of nineteen hundred and eleven.

Fire commis-
sioner may
provide for
work to be
done in certain
years.

SECTION 2. The work for the years nineteen hundred and twenty and nineteen hundred and twenty-one heretofore prescribed under existing statutes need not be done but any street or streets formerly included in the work prescribed for said years may be included by the fire commissioner in the future work to be done under this act. The obligation to do any work prescribed under existing laws to be done in years before nineteen hundred and twenty shall not be affected by anything in this act contained.

Extension of
certain powers
and duties.

SECTION 3. The powers conferred and the duties imposed upon the officer mentioned in said chapter three hundred and sixty-four, and other acts mentioned in said chapter, are hereby extended and said powers shall be exercised and said duties performed by said fire commissioner in each of the years nineteen hundred and twenty-two to nineteen hundred and twenty-six, inclusive.

Approved March 30, 1921.

Chap.197

AN ACT TO REGULATE THE TAKING OF BLACK BASS.

Be it enacted, etc., as follows:

G. L., 130, § 64,
amended.

Section sixty-four of chapter one hundred and thirty of the General Laws is hereby amended by striking out, in the second line, the word "April", and inserting in place thereof the word: — February, — and by striking out, in the fourth line, the word "eight", and inserting in place thereof the word: — ten, — so as to read as follows: — *Section 64.* No person shall take, sell, offer for sale, or have in possession a black bass or any part thereof between February first and June twentieth following, both dates inclusive, or at any time have in possession a black bass less than ten inches in length unless such bass was taken by a person lawfully fishing and is immediately returned alive to the water whence it was taken.

Close season
for black bass
established.

Approved March 30, 1921.

AN ACT RELATIVE TO MARINE INSURANCE.

Chap.198

Be it enacted, etc., as follows:

Section forty-seven of chapter one hundred and seventy-five of the General Laws is hereby amended by inserting after the word "transportation", in the thirteenth line, the words: — ; also, in connection with marine or inland marine or transportation insurance on property, to insure against any risk whether to person or to property, including liability for loss or damage to either, arising out of the construction, repair, operation, maintenance or use of the subject matter of such primary insurance, — and by adding after the word "liable", in the twenty-first line, the words: — ; but not including insurance against loss or damage by reason of bodily injury or death by accident to any person resulting from the maintenance and use of motor vehicles, — so that the second clause will read as follows: — Second, To insure upon the stock or mutual plan vessels, freights, goods, money, effects, and money lent on bottomry or respondentia, against the perils of the sea and other perils usually insured against by marine insurance; risks of inland navigation and transportation; also, in connection with marine or inland marine or transportation insurance on property, to insure against any risk whether to person or to property, including liability for loss or damage to either, arising out of the construction, repair, operation, maintenance or use of the subject matter of such primary insurance; also to insure against loss or damage to and loss of use of motor vehicles, their fittings and contents, whether such vehicles are being operated or not, and wherever the same may be, resulting from accident, collision, and any of the perils usually insured against by marine insurance, or from risks of inland navigation and transportation; and against loss or damage caused by teams, automobiles or other vehicles, except rolling stock of railways, to the property of another, for which loss or damage any person is liable; but not including insurance against loss or damage by reason of bodily injury or death by accident to any person resulting from the maintenance and use of motor vehicles.

G. L. 175, § 47,
cl. 2, amended.

Purposes of
incorporation
of certain
insurance
companies.

Certain insur-
ance excluded.

Approved March 30, 1921.

Chap. 199 AN ACT PROVIDING FOR BIENNIAL MUNICIPAL ELECTIONS IN
THE CITY OF CAMBRIDGE.

Be it enacted, etc., as follows:

Biennial
municipal
elections in
Cambridge.

SECTION 1. The next regular city election in the city of Cambridge, succeeding the passage of this act, shall be held on Tuesday following the first Monday in November, nineteen hundred and twenty-one, and thereafter the regular city elections in said city shall be held biennially on the Tuesday next following the first Monday in November in each odd-numbered year.

Certain
officials to be
sworn, time,
etc.

SECTION 2. On the first Monday in January following a regular city election, at ten o'clock in the forenoon, the mayor-elect, the councillors-elect and the assessors-elect, shall meet and be sworn to the faithful discharge of their duties. The oath shall be administered as provided in section seventeen of chapter forty-three of the General Laws. The terms of the mayor and all councillors shall be two years, commencing on the first Monday in January following their election.

Terms of
councillors,
etc.

SECTION 3. The terms of councillors from each ward in said city elected in December nineteen hundred and twenty shall terminate on the first Monday in January, nineteen hundred and twenty-four, and their successors shall be elected at the biennial election in November nineteen hundred and twenty-three.

School com-
mittee, terms
of certain
members,
election, etc.

SECTION 4. The terms of the two members of the school committee of said city elected in December nineteen hundred and nineteen, shall terminate on the first Monday in January, nineteen hundred and twenty-two. The four members to be elected in November nineteen hundred and twenty-one, shall be elected for two-year terms. At the November election in nineteen hundred and twenty-three there shall be elected six members of the school committee; three for terms of two years and three for terms of four years. Thereafter at each biennial election three members of the school committee shall be elected for terms of four years. The school committee shall organize on the first Monday in January after each biennial election and shall elect one of its members as vice-chairman, whose duty it shall be to preside at all meetings at which the mayor is not present. The term of a member of the school committee shall commence on the first Monday of January following said member's election.

SECTION 5. If a vacancy occurs in the school committee of said city by failure to elect or otherwise, the city council and the remaining members of the school committee shall meet in joint convention and elect a suitable person to fill the vacancy until the next regular city election. The mayor, if present, shall preside at said convention.

Vacancy in school committee, how filled.

SECTION 6. The term of the assessor for the city of Cambridge elected in December, nineteen hundred and nineteen, is hereby extended for one year and shall terminate on the first Monday in January, nineteen hundred and twenty-four. At the election to be held in November, nineteen hundred and twenty-one, there shall be one assessor elected for the term of four years. At the election to be held in November, nineteen hundred and twenty-three, there shall be two assessors elected for the term of four years. Thereafter all assessors shall be elected for terms of four years. The term of an assessor shall commence on the first Monday in January following his election.

Assessors, terms of election, etc.

SECTION 7. A vote on the question of granting licenses for the sale of certain non-intoxicating beverages, required by chapter one hundred and thirty-eight of the General Laws, or by any other general provision of law, so long as said laws shall be in effect, shall hereafter be taken biennially in said city at the biennial election herein provided for.

Biennial vote on certain question of granting licenses.

SECTION 8. The word "annual", as used in section forty of chapter forty-three of the General Laws shall mean "biennial" when used with reference to said city.

Meaning of the word "annual."

(The foregoing was laid before the governor on the twenty-fourth day of March, 1921, and after five days it had "the force of a law", as prescribed by the constitution, as it was not returned by him with his objections thereto within that time.)

AN ACT CONFIRMING THE ELECTION OF OFFICERS AND OTHER PROCEEDINGS OF A MEETING OF THE INHABITANTS OF THE TOWN OF STOW. Chap.200

Be it enacted, etc., as follows:

SECTION 1. The election of officers and other proceedings at a meeting of the inhabitants of the town of Stow held on February twenty-eighth in the current year are hereby validated and confirmed, and said meeting is hereby declared to be the annual town meeting of the said town for the current year, notwithstanding that the annual meeting of said town

Election of officers, etc., in town of Stow confirmed.

was called for February twenty-first nineteen hundred and twenty-one and adjourned to said February twenty-eighth.

SECTION 2. This act shall take effect upon its passage.

Approved March 31, 1921.

Chap. 201 AN ACT TO AUTHORIZE THE TOWN OF NORTHBRIDGE TO EXTEND ITS SYSTEM OF SEWERAGE.

Be it enacted, etc., as follows:

Extension of
sewerage
system in
Northbridge
authorized.

SECTION 1. The board of sewer commissioners of the town of Northbridge, on behalf of the town, may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, any lands in fee and any water rights, rights of way and easements in said town, public or private, necessary for any of the purposes mentioned in this act, and may construct within the town such main drains and sewers under or over any water course, bridge, aqueduct, conduit, railroad, railway or way, or within the location of any railroad or railway, and may enter upon and dig up any private land, street or way, or railroad or railway location, for the purpose of laying such main drains and sewers, and of maintaining and repairing the same, and may do any other thing necessary or proper for the purposes of this act; provided that said board shall not take in fee any land of a railroad corporation, and that it shall not enter upon or construct any drains or sewers within the location of any railroad corporation, except at such time and in such manner as it may agree upon with such corporation, or, in case of failure to agree, as may be approved by the department of public utilities. Any person injured in his property by any action of the board under this act may recover damages from said town under said chapter seventy-nine.

Proviso.

Approval of
plans by de-
partment of
public health.

SECTION 2. No act shall be done under authority of the preceding section until the plans for said system of sewerage have been approved by the department of public health. Upon application to said department for such approval, it shall, after due notice to the public, give a hearing at which plans showing in detail all the work to be done in constructing said system of sewerage shall be submitted.

SECTION 3. This act shall take effect upon its passage.

Approved March 31, 1921.

AN ACT RELATIVE TO THE TAXATION OF CERTAIN SHARES *Chap.202*
OF STOCK HELD BY FIDUCIARIES.

Whereas, The deferred operation of this act would cause substantial inconvenience, and would result in the loss to the commonwealth, and to cities and towns, of taxes that could be assessed April first of the current year, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

Clause thirty-third of section five of chapter fifty-nine of the General Laws is hereby amended by adding at the end thereof the following:—, except shares of stock taxable under section one of chapter sixty-three, — so as to read as follows:— *Thirty-third*, Intangible property held by any fiduciary in the commonwealth, except shares of stock taxable under section one of chapter sixty-three.

G. L. 59, § 5,
cl. 33,
amended.

Taxation of
certain shares
of stock held
by fiduciaries.

Approved March 31, 1921.

AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE *Chap.203*
OF DEPARTMENTS, BOARDS, COMMISSIONS, INSTITUTIONS
AND CERTAIN ACTIVITIES OF THE COMMONWEALTH, FOR
INTEREST, SINKING FUND AND SERIAL BOND REQUIRE-
MENTS, AND FOR CERTAIN PERMANENT IMPROVEMENTS.

Be it enacted, etc., as follows:

SECTION 1. To provide for the maintenance of the several departments, boards, commissions and institutions, of sundry other services, and for certain permanent improvements, and to meet certain requirements of law, the sums set forth in section two, for the several purposes and subject to the conditions therein specified, are hereby appropriated from the general fund or revenue of the commonwealth unless some other source of revenue is expressed, subject to the provisions of law regulating the disbursement of public funds and the approval thereof, for the fiscal year ending November thirtieth, nineteen hundred and twenty-one, or for such other period as may be specified.

Appropriations
for main-
tenance of
departments,
etc., and
interest, sink-
ing fund and
bond require-
ments, and
certain im-
provements.

SECTION 2.

Service of the Legislative Department.

Legislative department.	Item		
	1	For the compensation of senators, the sum of sixty-one thousand five hundred dollars, . . .	\$61,500 00
	2	For the compensation for travel of senators, a sum not exceeding forty-five hundred dollars, . . .	4,500 00
	3	For the compensation of representatives, the sum of three hundred sixty-one thousand five hundred dollars, . . .	361,500 00
	4	For compensation for travel of representatives, a sum not exceeding twenty-six thousand seven hundred dollars, . . .	26,700 00
	5	For the salaries of Henry D. Coolidge, clerk of the senate, and James W. Kimball, clerk of the house of representatives, the sum of ten thousand dollars, . . .	10,000 00
	6	For the salaries of William H. Sanger, assistant clerk of the senate, and Frank E. Bridgman, assistant clerk of the house of representatives, the sum of seven thousand dollars, . . .	7,000 00
	7	For such additional clerical assistance to, and with the approval of, the clerk of the senate, as may be necessary for the proper despatch of public business, a sum not exceeding fifteen hundred dollars, . . .	1,500 00
	8	For such additional clerical assistance to, and with the approval of, the clerk of the house of representatives, as may be necessary for the proper despatch of public business, a sum not exceeding four thousand dollars, . . .	4,000 00
	9	For the salary of the sergeant-at-arms, a sum not exceeding thirty-five hundred dollars, . . .	3,500 00
	10	For clerical assistance, office of the sergeant-at-arms, a sum not exceeding forty-four hundred and forty dollars, . . .	4,440 00
	11	For compensation for travel of doorkeepers, assistant doorkeepers, messengers, pages and other employees of the sergeant-at-arms, authorized by law to receive the same, a sum not exceeding thirty-eight hundred and fifty-five dollars, . . .	3,855 00
	12	For the salaries of the doorkeepers of the senate and house of representatives, and the post-master, with the approval of the sergeant-at-arms, a sum not exceeding fifty-eight hundred dollars, . . .	5,800 00
	13	For the salaries of assistant doorkeepers and messengers to the senate and house of representatives, with the approval of the sergeant-at-arms, a sum not exceeding thirty-eight thousand one hundred dollars, . . .	38,100 00

Item		Legislative department.
14	For compensation of the pages of the senate and house of representatives, with the approval of the sergeant-at-arms, a sum not exceeding seventy-two hundred dollars,	\$7,200 00
15	For the salaries of clerks employed in the legislative document room, a sum not exceeding thirty-nine hundred and fifty dollars,	3,950 00
16	For certain other persons employed by the sergeant-at-arms, in and about the chambers and rooms of the legislative department, a sum not exceeding twenty-four hundred and twenty-five dollars,	2,425 00
17	For the salaries of the chaplains of the senate and house of representatives, the sum of fifteen hundred dollars,	1,500 00
18a	For personal services of the senate counsel and assistants, a sum not exceeding twelve thousand two hundred dollars,	12,200 00
18b	For personal services of the house counsel and assistants, a sum not exceeding eleven thousand one hundred and fifty dollars,	11,150 00
18c	For clerical and other assistance of the senate committee on rules, a sum not exceeding forty-one hundred dollars,	4,100 00
18d	For clerical and other expenses of the house committee on rules, a sum not exceeding thirty-five hundred and ninety-five dollars,	3,595 00
19	For authorized traveling and other expenses of the committees of the present general court, with the approval of a majority of the committee incurring the same, a sum not exceeding nine thousand dollars,	9,000 00
20	For expenses of advertising hearings of the committees of the present general court, including expenses of preparing and mailing advertisements to the various newspapers, with the approval of the auditor of the commonwealth, a sum not exceeding three thousand dollars,	3,000 00
21	For expenses of summoning witnesses, and for fees of such witnesses, with the approval of the sergeant-at-arms, a sum not exceeding two hundred dollars,	200 00
22	For printing and binding ordered by the senate and house of representatives, or by concurrent order of the two branches, with the approval of the clerks of the respective branches, a sum not exceeding fifty-three thousand dollars,	53,000 00
23	For printing and binding the manual for the general court, under the direction and with the approval of the clerks of the senate and house of representatives, a sum not exceeding six thousand dollars,	6,000 00

Legislative department.	Item	
	24	For expenses in connection with the publication of the bulletin of committee hearings, with the approval of the joint committee on rules, a sum not exceeding eighteen thousand dollars, \$18,000 00
	25	For stationery for the senate, purchased by and with the approval of the clerk, a sum not exceeding eight hundred dollars, 800 00
	26	For stationery for the house of representatives, purchased by and with the approval of the clerk, a sum not exceeding twelve hundred dollars, 1,200 00
	27	For contingent expenses of the senate and house of representatives, and necessary expenses in and about the state house, with the approval of the sergeant-at-arms, a sum not exceeding eighteen thousand four hundred dollars, 18,400 00
	28	For the purchase of outline sketches of members of the senate and house of representatives, a sum not exceeding twelve hundred dollars, 1,200 00
	Total, \$689,315 00	

Service of the Judicial Department.

Judicial de-
partment.
Supreme
Judicial Court.

	Supreme Judicial Court, as follows:	
	29	For the salaries of the chief justice and of the six associate justices, a sum not exceeding seventy thousand five hundred dollars, \$70,500 00
	30	For traveling allowance and expenses, a sum not exceeding forty-five hundred dollars, 4,500 00
	31	For the pensions of retired justices, a sum not exceeding thirty thousand dollars, 30,000 00
	32	For the salary of the clerk for the commonwealth, a sum not exceeding thirty-five hundred dollars, 3,500 00
	33	For clerical assistance to the clerk, a sum not exceeding nine hundred dollars, 900 00
	34	For clerical assistance to the justices, a sum not exceeding four thousand dollars, 4,000 00
	35	For the services of stenographers to the justices, a sum not exceeding twenty-five hundred dollars, 2,500 00
	36	For office supplies, services and equipment of the supreme judicial court, a sum not exceeding twenty-five hundred dollars, 2,500 00
	37	For the salaries of the officers and messengers, a sum not exceeding twenty-six hundred dollars, 2,600 00
	38	For the salary of the clerk for the county of Suffolk, a sum not exceeding fifteen hundred dollars, 1,500 00

Item		Reporter of Decisions.
Reporter of Decisions:		
39	For the salary of the reporter of decisions, a sum not exceeding six thousand dollars,	\$6,000 00
40	For clerk hire and office supplies, services and equipment, a sum not exceeding eight thousand dollars,	8,000 00
Total,		\$136,500 00
Superior Court, as follows:		
41	For the salaries of the chief justice and of the twenty-seven associate justices, a sum not exceeding two hundred sixty-seven thousand eight hundred ninety-one dollars and thirteen cents,	\$267,891 13
42	For traveling allowance and expenses, a sum not exceeding fifteen thousand dollars,	15,000 00
43	For the salary of the assistant clerk, Suffolk county, a sum not exceeding one thousand dollars,	1,000 00
44	For printing, transportation of papers and documents, and office supplies, services and equipment, a sum not exceeding fifteen hundred dollars,	1,500 00
45	For pensions of retired justices, a sum not exceeding eighteen thousand dollars,	18,000 00
Total,		\$303,391 13
Probate and Insolvency Courts, as follows:		
46	For the salaries of judges of probate of the several counties, a sum not exceeding eighty-six thousand five hundred thirty-three dollars and thirty-three cents,	\$86,533 33
47	For pensions of retired justices, a sum not exceeding seventy-eight hundred dollars,	7,800 00
48	For the compensation of judges of probate when acting outside of their own county for other judges of probate, a sum not exceeding twenty-five hundred dollars,	2,500 00
49	For the salaries of registers of the several counties, a sum not exceeding fifty-two thousand six hundred fifty-eight dollars and thirty-three cents,	52,658 33
50	For the salaries of assistant registers, a sum not exceeding fifty-two thousand five hundred thirty-one dollars and twenty-five cents,	52,531 25
Total,		\$202,022 91

Registers of Probate and Insolvency, clerical assist- ance.	Item	For clerical assistance to Registers of the several counties, as follows:	
	51	Barnstable, a sum not exceeding one thousand dollars,	\$1,000 00
	52	Berkshire, a sum not exceeding twelve hundred dollars,	1,200 00
	53	Bristol, a sum not exceeding sixty-eight hundred thirty-three dollars and thirty-three cents,	6,833 33
	54	Dukes County, a sum not exceeding four hundred thirty-three dollars and thirty-three cents,	433 33
	55	Essex, a sum not exceeding ten thousand and fifty dollars,	10,050 00
	56	Franklin, a sum not exceeding one thousand dollars,	1,000 00
	57	Hampden, a sum not exceeding fifty-four hundred thirty-three dollars and thirty-three cents,	5,433 33
	58	Hampshire, a sum not exceeding one thousand dollars,	1,000 00
	59	Middlesex, a sum not exceeding fifteen thousand five hundred dollars,	15,500 00
	60	Nantucket, a sum not exceeding four hundred thirty-three dollars and thirty-three cents,	433 33
	61	Norfolk, a sum not exceeding six thousand dollars,	6,000 00
	62	Plymouth, a sum not exceeding twenty-five hundred sixty-six dollars and sixty-seven cents,	2,566 67
	63	Suffolk, a sum not exceeding eighty-six hundred dollars,	8,600 00
	64	Worcester, a sum not exceeding ninety-five hundred sixteen dollars and sixty-seven cents,	9,516 67
	65	For the salary of the clerk to the register for the county of Middlesex, a sum not exceeding two thousand dollars,	2,000 00
	66	For the salary of the clerk to the register for the county of Suffolk, a sum not exceeding fifteen hundred dollars,	1,500 00
		Total,	\$73,066 66
District Attorneys.	District Attorneys, as follows:		
	67	For the salaries of the district attorney and assistants for the Suffolk district, a sum not exceeding thirty-seven thousand dollars,	\$37,000 00
	68	For the salaries of the district attorney and assistants for the northern district, a sum not exceeding fourteen thousand seven hundred and fifty dollars,	14,750 00

Item		District Attorneys.
69	For the salaries of the district attorney and assistants for the eastern district, a sum not exceeding ten thousand two hundred and fifty dollars,	\$10,250 00
70	For the salaries of the district attorney, deputy district attorney and assistants for the south-eastern district, a sum not exceeding ten thousand dollars,	10,000 00
71	For the salaries of the district attorney and assistants for the southern district, a sum not exceeding eighty-two hundred dollars,	8,200 00
72	For the salaries of the district attorney and assistants for the middle district, a sum not exceeding ten thousand two hundred and fifty dollars,	10,250 00
73	For the salaries of the district attorney and assistants for the western district, a sum not exceeding forty-five hundred dollars,	4,500 00
74	For the salary of the district attorney for the northwestern district, a sum not exceeding two thousand dollars,	2,000 00
75	For traveling expenses necessarily incurred by the district attorneys, except in the Suffolk district, a sum not exceeding six thousand dollars,	6,000 00
	Total,	\$102,950 00

Service of the Land Court.

		Land Court.
76	For salaries of the judge, associate judge, the recorder and court officer, a sum not exceeding twenty-eight thousand six hundred dollars,	\$28,600 00
77	For engineering, clerical and other personal services, a sum not exceeding nineteen thousand dollars,	19,000 00
78	For personal services in the examination of titles, for publishing and serving citations and other services, traveling expenses, supplies and office equipment, and for the preparation of sectional plans showing registered land, a sum not exceeding thirty-one thousand one hundred dollars,	31,100 00
	Total,	\$78,700 00

Service of the Commission on Probation.

		Commission on Probation.
79	For personal services of the deputy commissioner, clerks, and stenographers, a sum not exceeding ten thousand five hundred and eighty dollars,	\$10,580 00

	Item		
Commission on Probation.	80	For service other than personal, including printing the annual report, traveling expenses, office supplies and equipment, a sum not exceeding twenty-six hundred dollars,	\$2,600 00
		Total,	\$13,180 00
		<i>Service of the Board of Bar Examiners.</i>	
Board of Bar Examiners.	81	For personal services of the members of the board, a sum not exceeding sixty-three hundred dollars,	\$6,300 00
	82	For other services, including printing the annual report and traveling expenses, office supplies and equipment, a sum not exceeding twenty-two hundred dollars,	2,200 00
		Total,	\$8,500 00
		<i>Service of the Executive Department.</i>	
Executive Department.	83	For the salary of the governor, the sum of ten thousand dollars,	\$10,000 00
	84	For the salary of the lieutenant governor, the sum of four thousand dollars,	4,000 00
	85	For the salaries of the eight councillors, the sum of eight thousand dollars,	8,000 00
	86	For the salaries of officers and employees of the department, a sum not exceeding eighteen thousand six hundred and sixty dollars,	18,660 00
	87	For travel and expenses of the lieutenant governor and council from and to their homes, a sum not exceeding fifteen hundred dollars,	1,500 00
	88	For postage, printing, office and other contingent expenses, including travel, of the governor, a sum not exceeding eleven thousand dollars,	11,000 00
	89	For postage, printing, stationery, traveling and contingent expenses of the governor and council, a sum not exceeding four thousand dollars,	4,000 00
	90	For expenses incurred in the arrest of fugitives from justice, a sum not exceeding one thousand dollars,	1,000 00
	91	For payment of extraordinary expenses and for transfers made to cover deficiencies, with the approval of the governor and council, a sum not exceeding one hundred thousand dollars,	100,000 00
		Total,	\$158,160 00

Service of the Adjutant General.

Item			Adjutant General.
92	For the salary of the adjutant general, a sum not exceeding forty-one hundred dollars,	\$4,100 00	
93	For the salary of the adjutant general's assistant, a sum not exceeding twenty-two hundred dollars,	2,200 00	
94	For the personal services of office assistants, a sum not exceeding twenty-one thousand five hundred and fifty dollars,	21,550 00	
95	For personal services of the members of the intelligence bureau, a sum not exceeding ten thousand dollars,	10,000 00	
96	For personal services in the division of records of the world's war, a sum not exceeding eleven thousand nine hundred dollars,	11,900 00	
97	For services other than personal, printing the annual report, and for necessary office supplies and expenses, a sum not exceeding ten thousand dollars,	10,000 00	
98	For expenses not otherwise provided for in connection with military matters and accounts, a sum not exceeding sixty-eight hundred dollars,	6,800 00	
99	For services other than personal, and for necessary office supplies and expenses of the intelligence bureau, a sum not exceeding sixty-five hundred dollars,	6,500 00	
100	For services other than personal and for necessary office supplies and expenses of the division of records of the world's war, a sum not exceeding twenty-five hundred dollars,	2,500 00	
101	For premium on bonds for officers, a sum not exceeding seven hundred dollars,	700 00	
102	For the purchase of an automobile for the governor, a sum not exceeding thirty-five hundred and sixteen dollars,	3,516 00	
103	For expenses of maintenance and operation of an automobile for any use directed by the governor or adjutant general, a sum not exceeding five thousand dollars,	5,000 00	
Total,		\$84,766 00	

Service of Reorganized Militia.

			Reorganized Militia.
104	For allowances to companies and other administrative units, a sum not exceeding one hundred twenty-two thousand dollars,	\$122,000 00	
105	For pay, expenses and transportation for recruiting, a sum not exceeding twenty-five hundred dollars,	2,500 00	

Reorganized Militia.	Item		
	106	For pay and transportation of certain boards, a sum not exceeding five thousand dollars, . . .	\$5,000 00.
	107	For pay and expenses of certain camps of instruction, a sum not exceeding five thousand dollars, . . .	5,000 00
	108	For pay and transportation in making inspections and surveys, and for escort duty, a sum not exceeding four thousand dollars, . . .	4,000 00
	109	(This item omitted.)	
	110	For transportation of officers and non-commissioned officers for attendance at military meetings, a sum not exceeding ten thousand eight hundred dollars, . . .	10,800 00
	111	For transportation to and from regimental and battalion drills, a sum not exceeding sixty-two hundred dollars, . . .	6,200 00
	112	For transportation when appearing for examination, a sum not exceeding twenty-five hundred dollars, . . .	2,500 00
	113	For certain other military transportation provided by law, a sum not exceeding four thousand dollars, . . .	4,000 00
	114	For expenses of rifle practice, a sum not exceeding twenty thousand dollars, . . .	20,000 00
	115a	For compensation, transportation and expenses in the preparation for camp duty or maneuvers, a sum not exceeding seventy-five hundred dollars, . . .	7,500 00
	115b	For subsistence, a sum not exceeding one thousand dollars, . . .	1,000 00
	115c	For expenses of escort in attending the inauguration at Washington, D. C., a sum not exceeding fifteen hundred dollars, . . .	1,500 00
	115d	For maintenance of horses, a sum not exceeding ten thousand dollars, . . .	10,000 00
	116	(This item omitted.)	
	117	For compensation for special and miscellaneous duty, a sum not exceeding fifteen thousand dollars, . . .	15,000 00
	118	For compensation for accidents and injuries sustained in the performance of military duty, a sum not exceeding twenty-five hundred dollars, . . .	2,500 00
	119	For reimbursement for death and injuries to horses, a sum not exceeding twenty-five hundred dollars, . . .	2,500 00
	Total,		\$222,000 00

Service of the Property and Disbursing Officer.

Item		
120	For clerical services and other expenses for the office of the property and disbursing officer, a sum not exceeding thirty-five hundred dollars,	Property and Disbursing Officer. \$3,500 00

Mexican Border Service.

120½	For the expense of furnishing certificates of honor for service on the Mexican border, as authorized by law, a sum not exceeding five hundred dollars, the same to be in addition to any sum heretofore appropriated for the purpose,	Mexican Border Service, certificates of honor. \$500 00
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Service for the Publication of Records of Massachusetts Soldiers and Sailors of the Civil War.

121	For services for the publication of records of Massachusetts soldiers and sailors who served in the civil war, a sum not exceeding seventy-two hundred dollars,	Publication of Records of Massachusetts Soldiers and Sailors of Civil War. \$7,200 00
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Service of the Chief Quartermaster.

122	For personal services of the chief quartermaster, superintendent of armories and superintendent of arsenal, a sum not exceeding sixty-eight hundred dollars,	Chief Quartermaster. \$6,800 00
123	For personal services of other employees of the chief quartermaster, a sum not exceeding twelve thousand one hundred dollars,	12,100 00
124	For expert assistance, the employment of which may be exempt from civil service rules, in the disbursement of certain money to the officers and enlisted men of the state guard and militia for compensation and allowances, a sum not exceeding twelve hundred dollars,	1,200 00
125	For the salaries of armorers and assistant armorers of first class armories, a sum not exceeding one hundred five thousand six hundred and forty dollars,	105,640 00
126	For certain incidental military expenses of the quartermaster's department, a sum not exceeding thirty-five hundred dollars,	3,500 00
127	For office and general supplies and equipment, a sum not exceeding eight thousand dollars,	8,000 00
128	For the care and maintenance of the camp ground and buildings at Framingham, a sum not exceeding five thousand dollars,	5,000 00

Chief Quartermaster.	Item		
	129	For the maintenance of armories of the first class, a sum not exceeding one hundred fifty-five thousand dollars,	\$155,000 00
	130	For reimbursement for rent and maintenance of armories of the second class, a sum not exceeding three thousand dollars,	3,000 00
	131	For reimbursement for rent and maintenance of armories of the third class, a sum not exceeding forty-six hundred dollars,	4,600 00
	132	For an allowance for a mechanic for each battery of field artillery, a sum not exceeding ninety-six hundred dollars,	9,600 00
	133	For certain alterations and improvements of armories of the first class, a sum not exceeding fifteen thousand dollars,	15,000 00
	134	For rental of certain stables for horses, a sum not exceeding fifteen thousand dollars,	15,000 00
	135	For rental of armories of the third class, a sum not exceeding twenty-seven hundred dollars,	2,700 00
		Total,	\$347,140 00

Service of the Chief Surgeon.

Chief Surgeon.			
	136	For personal services of the chief surgeon and regular assistants, a sum not exceeding fifty-eight hundred and twenty dollars,	\$5,820 00
	137	For services other than personal, and for necessary medical and office supplies and equipment, a sum not exceeding three thousand dollars,	3,000 00
	138	For the examination of recruits, a sum not exceeding eight thousand dollars,	8,000 00
		Total,	\$16,820 00

Service of the Commission for Aiding Returned Soldiers, Sailors and Marines.

Commission for Aiding Returned Soldiers, Sailors and Marines.			
	139	For expenses of continuing the work of the commission for aiding returned soldiers, sailors and marines in finding employment, a sum not exceeding twelve thousand dollars, the same to be in addition to any sum heretofore appropriated for the purpose,	\$12,000 00

Service of the Supervisor of Administration.

Supervisor of Administra- tion.			
	140	For the salaries of the supervisor and deputy, a sum not exceeding ten thousand five hundred dollars,	\$10,500 00
	141	For other personal services, a sum not exceeding twenty-one thousand one hundred and fifty dollars,	21,150 00

Item			
142	For services other than personal and for traveling expenses, office supplies and equipment, a sum not exceeding twenty-five hundred and twenty-five dollars,	\$2,525 00	Supervisor of Administration.

Total,	\$34,175 00	
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Service of the Armory Commission.

143	For compensation of members, a sum not exceeding twenty-three hundred dollars, . . .	\$2,300 00	Armory Commission.
144	For office and traveling expenses, and certain equipment, a sum not exceeding fifteen thousand three hundred dollars,	15,300 00	

Total,	\$17,600 00	
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Service of the Board of Appeal from Decisions of the Commissioner of Corporations and Taxation.

145	For expenses of the board, a sum not exceeding seventy-five dollars,	\$75 00	Board of Appeal, etc.
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Service of the Commissioner of State Aid and Pensions.

146	For personal services of the commissioner and deputy, a sum not exceeding sixty-seven hundred dollars,	\$6,700 00	Commissioner of State Aid and Pensions.
147	For personal services of agents, clerks, stenographers and other assistants, a sum not exceeding thirty-one thousand seven hundred and seventy dollars,	31,770 00	
148	For services other than personal, including printing the annual report, traveling expenses of the commissioner and his employees, and necessary office supplies and equipment, a sum not exceeding fifty-five hundred dollars,	5,500 00	

Total,	\$43,970 00	
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For Expenses on Account of Wars.

149	For reimbursing cities and towns for money paid on account of state and military aid to Massachusetts soldiers and their families, the sum of five hundred five thousand five hundred dollars, the same to be paid on or before the fifteenth day of November in the year nineteen hundred and twenty-one, in accordance with the provisions of existing laws relative to state and military aid,	\$505,500 00	Expenses on Account of Wars.
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	Item		
Massachusetts Soldiers' Home, etc.	150	For the maintenance of the Massachusetts Soldiers' Home, with the approval of the trustees thereof, a sum not exceeding one hundred seventy-five thousand dollars,	\$175,000 00
	151	For certain improvements and additions at the Massachusetts Soldiers' Home, a sum not exceeding fifteen thousand dollars, payment to be made upon vouchers approved by the trustees of said institution,	15,000 00
	152	For compensation to certain state employees in the military or naval service of the United States, as authorized by chapter three hundred and one of the General Acts of nineteen hundred and seventeen, a sum not exceeding fourteen hundred forty-five dollars and fifty cents,	1,445 50
		Total,	\$696,945 50

Service of the Art Commission.

Art Commission.	153	For expenses of the commission, a sum not exceeding one hundred dollars,	\$100 00
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Service of the Ballot Law Commission.

Ballot Law Commission.	154	For compensation of the commissioners, a sum not exceeding fifteen hundred dollars,	\$1,500 00
	155	For expenses, including travel, supplies and equipment, a sum not exceeding two hundred dollars,	200 00
		Total,	\$1,700 00

Service of Commissioners on Uniform State Laws.

Commission on Uniform State Laws.	156	For expenses, for the current fiscal year, of the commissioners on uniform state laws, a sum not exceeding seven hundred and fifty dollars,	\$750 00
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Service of the State Library.

State Library.	157	For personal services of the librarian, a sum not exceeding five thousand dollars,	\$5,000 00
	158	For personal services of the regular library assistants, temporary clerical assistance, and for services for cataloguing, a sum not exceeding twenty-six thousand four hundred and twenty dollars,	26,420 00
	159	For services other than personal, including printing the annual report, office supplies and equipment, and incidental travelling expenses, a sum not exceeding twenty-seven hundred and fifty dollars,	2,750 00

Item		State Library.
160	For books and other publications and things needed for the library, and the necessary binding and rebinding incidental thereto, a sum not exceeding ninety-five hundred dollars,	\$9,500 00
	Total,	\$43,670 00

Service of the Superintendent of Buildings.

		Superin- tendent of Buildings.
161	For personal services of the superintendent and office assistants, a sum not exceeding nineteen thousand eight hundred dollars,	\$19,800 00
162	For personal services of engineers, assistant engineers, firemen and helpers in the engineer's department, a sum not exceeding sixty-five thousand seven hundred and fifty-six dollars,	65,756 00
163	For personal services of watchmen and assistant watchmen, a sum not exceeding thirty-seven thousand one hundred dollars,	37,100 00
164	For personal services of porters, a sum not exceeding twenty thousand nine hundred dollars,	20,900 00
165	For other personal services incidental to the care and maintenance of the building, a sum not exceeding twelve thousand nine hundred and thirty dollars,	12,930 00
	Total,	\$156,486 00

Other Annual Expenses.

		Other annual expenses.
166	For contingent, office and other expenses of the superintendent, a sum not exceeding twelve hundred dollars,	\$1,200 00
167	For telephone service in the building, and expenses in connection therewith, a sum not exceeding thirty-six thousand dollars,	36,000 00
168	For services, supplies and equipment necessary to furnish heat, light and power, a sum not exceeding seventy-seven thousand dollars,	77,000 00
169	For other services, supplies and equipment necessary for the maintenance and care of the state house, including repairs of furniture and equipment, a sum not exceeding ninety-nine thousand dollars,	99,000 00
170	For the purchase of such new furniture and fixtures as may be necessary, a sum not exceeding ten thousand dollars,	10,000 00
	Total,	\$223,200 00

Service of the Drainage Board.

Drainage Board.	Item 170½	For expenses of the board, a sum not exceeding one thousand dollars,	\$1,000 00
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For the Maintenance of the Old State House.

Old State House, maintenance.	171	For the contribution of the commonwealth toward the maintenance of the old provincial state house, the sum of fifteen hundred dollars,	\$1,500 00
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Service of the Commission to Destroy Obsolete and Worthless Records, Books and Documents.

Commission to Destroy Obsolete Records, etc.	172	For services and expenses of the commission, a sum not exceeding one hundred dollars,	\$100 00
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Service of the Secretary of the Commonwealth.

Secretary of the Commonwealth.	173	For the salaries of the secretary and officers and employees holding positions established by law, a sum not exceeding twenty-one thousand one hundred dollars,	\$21,100 00
	174	For services of additional clerks and other assistants, a sum not exceeding seventy-six thousand five hundred dollars,	76,500 00
	175	For services other than personal, traveling expenses, office supplies and equipment, a sum not exceeding twelve thousand dollars,	12,000 00
	176	For postage and expressage on public documents, and for mailing copies of bills and resolves to certain state, city and town officials, a sum not exceeding five thousand dollars,	5,000 00
	177	For the arrangement and preservation of state records and papers, a sum not exceeding one thousand dollars,	1,000 00
	178	For printing registration books and blanks and indexing returns, a sum not exceeding three thousand dollars,	3,000 00
	179	For the purchase of copies of certain town records prior to eighteen hundred and fifty, a sum not exceeding five thousand dollars,	5,000 00
	180	For printing the history of certain regiments in the civil war and in the world war, the sum of five thousand dollars,	5,000 00
	181	For the purchase of certain supplies and equipment and for other things necessary in connection with the reproduction of the manuscript collection designated "Massachusetts Archives", a sum not exceeding thirty-four hundred dollars,	3,400 00

Item		Secretary of the Common- wealth.
182	For the purchase and distribution of copies of certain journals of the house of representatives of Massachusetts Bay from seventeen hundred and fifteen to seventeen hundred and eighty, as authorized by chapter four hundred and thirteen of the acts of nineteen hundred and twenty, a sum not exceeding twelve hundred and fifty dollars,	\$1,250 00
	Total,	\$133,250 00
	For printing laws, etc.:	
183	For printing the pamphlet edition of the acts and resolves of the present year, a sum not exceeding ten thousand dollars,	\$10,000 00
184	For the printing of a cumulative index to the acts and resolves, a sum not exceeding one thousand dollars,	1,000 00
185	For printing and binding the blue book edition of the acts and resolves of the present year, a sum not exceeding twenty thousand dollars,	20,000 00
186	For the purchase of reports of decisions of the supreme judicial court, a sum not exceeding five thousand dollars,	5,000 00
187	For the purchase of paper used in the execution of the contract for the state printing, a sum not exceeding one hundred fifty thousand dollars,	150,000 00
188	For printing and binding public documents, a sum not exceeding twenty-five thousand dollars,	25,000 00
189	For the printing of another edition of Bradford's History of Plymouth Plantation, a sum not exceeding twenty-five hundred dollars,	2,500 00
	Total,	\$213,500 00
	For printing matters relating to elections:	
190	(This item omitted.)	
191	(This item omitted.)	
192	For the printing of blanks for town officers, election laws and blanks and instructions on all matters relating to elections, a sum not exceeding five thousand dollars,	\$5,000 00
193	For furnishing cities and towns with ballot boxes and for repairs to the same, a sum not exceeding one thousand dollars,	1,000 00
194	(This item omitted.)	

Printing laws,
etc.

Election
matters.

	Item		
Election matters.	195	For the purchase of apparatus to be used at polling places in the canvass and counting of votes, a sum not exceeding two hundred and fifty dollars,	\$250 00
	196	(This item omitted.)	
	197	(This item omitted.)	
		Total,	\$6,250 00
Supervisor of Public Records:			
Supervisor of Public Records.	198	For personal services of the supervisor and his office assistant, a sum not exceeding forty-eight hundred dollars,	\$4,800 00
	199	For the purchase of ink for public records of the commonwealth, a sum not exceeding eight hundred dollars,	800 00
	200	For traveling expenses of the supervisor of public records, a sum not exceeding thirteen hundred dollars,	1,300 00
		Total,	\$6,900 00
Census Division.	201	Summer census: (This item omitted.)	
		Decennial census:	
	202	For personal services of the census division of the department of the secretary of the commonwealth, a sum not exceeding five thousand dollars,	\$5,000 00
	203	For expenses of the census division of the department of the secretary of the commonwealth, a sum not exceeding one thousand dollars,	1,000 00
		Total,	\$6,000 00
Medical Examiners' fees.	204	Medical Examiners' fees: For medical examiners' fees as provided by law, a sum not exceeding nine hundred dollars,	\$900 00
Service of the Treasurer and Receiver General.			
Treasurer and Receiver General.	205	For the salary of the treasurer and receiver general and other officers and employees holding positions established by law, a sum not exceeding forty-one thousand two hundred and sixty dollars,	\$41,260 00
	206	For services of additional clerical and other assistants, a sum not exceeding eleven thousand six hundred dollars,	11,600 00

Item			
207	For services other than personal, traveling expenses, office supplies and equipment, a sum not exceeding nine thousand dollars, . . .	\$9,000 00	Treasurer and Receiver General.
208	For the expenses of administering chapter two hundred and eleven of the General Acts of nineteen hundred and seventeen, a sum not exceeding four thousand dollars, to be paid from the receipts from taxes levied under authority of chapters two hundred and eighty-three and three hundred and forty-two of the General Acts of nineteen hundred and nineteen,	4,000 00	
	Total,	\$65,860 00	
209	For relief disbursed, with the approval of the commissioners on firemen's relief, subject to the provisions of law, a sum not exceeding seventeen thousand five hundred dollars, . .	\$17,500 00	Commissioners on Firemen's Relief.
210	For the expenses of administration by the commissioners on firemen's relief, a sum not exceeding five hundred dollars,	500 00	
	Total,	\$18,000 00	
	State Board of Retirement:		
211	For personal services in the administrative office of the state board of retirement, a sum not exceeding eight thousand and sixty dollars, . .	\$8,060 00	State Board of Retirement.
212	For services other than personal, printing the annual report, and for office supplies and equipment, a sum not exceeding thirty-four hundred dollars,	3,400 00	
213	For requirements of annuity funds and pensions for employees retired from the state service under authority of law, a sum not exceeding seventy-one thousand dollars,	71,000 00	
	Total,	\$82,460 00	
	<i>Requirements for Extinguishing the State Debt.</i>		
214	For sinking fund requirements and for certain serial bonds maturing during the present year, the sum of one million seven hundred eighty-five thousand three hundred seventy-eight dollars and seventy-five cents, of which sum thirty-four thousand dollars for serial bonds for the abolition of grade crossings shall be paid from the balance now in the treasury of		Requirements for Extinguishing State Debt.

Item

the proceeds of the last loan for said purpose; two hundred and five thousand dollars for the development of the port of Boston loan shall be paid from the balance of the proceeds of the sale of the Boston dry dock out of the appropriation made by section four of chapter two hundred and twenty-five of the acts of nineteen hundred and twenty, and sixty thousand dollars for serial bonds for the harbor improvement loan shall be paid from the unexpended balance now in the treasury of the proceeds of said loan, \$1,785,378 75

Interest Requirements.

Interest re- quirements.	215	For the payment of interest on the direct debt and temporary loans of the commonwealth, a sum not exceeding two million thirty-six thousand eight hundred and seventy-five dollars,	\$2,036,875 00
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Service of the Auditor of the Commonwealth.

Auditor of the Common- wealth.	216	For the salary of the auditor and other officers and employees holding positions established by law, a sum not exceeding twenty-eight thousand one hundred and fifty dollars, . . .	\$28,150 00
	217	For services of such additional clerical and other assistance as may be necessary, a sum not exceeding forty-four thousand three hundred dollars,	44,300 00
	218	For services other than personal, traveling expenses, office supplies and equipment, a sum not exceeding seventy-four hundred dollars, .	7,400 00
		Total,	\$79,850 00

Unclassified Accounts and Claims.

Unclassified accounts and claims.	219	For the compensation of veterans of the civil war and certain others formerly in the service of the commonwealth, now retired, a sum not exceeding seventy thousand dollars,	\$70,000 00
	220	For the compensation of any veteran who may be retired by the governor under the provisions of sections fifty-six to sixty, inclusive, of chapter thirty-two of the General Laws, a sum not exceeding five hundred dollars, . . .	500 00
	221	For the compensation of certain prison officers and instructors formerly in the service of the commonwealth, and now retired, a sum not exceeding twenty-two thousand dollars, . . .	22,000 00

Item		Unclassified accounts and claims.
222	For the compensation of district police officers formerly in the service of the commonwealth, and now retired, a sum not exceeding seven thousand dollars,	\$7,000 00
223	For the compensation of certain women formerly employed by the sergeant-at-arms in cleaning the state house, and now retired, a sum not exceeding thirteen hundred and fifty dollars,	1,350 00
	Total,	\$100,850 00
	For certain other aid:	
224	For the compensation of certain public employees for injuries sustained in the course of their employment, as provided by section sixty-nine of chapter one hundred and fifty-two of the General Laws, a sum not exceeding seventeen thousand dollars,	\$17,000 00
225	For the payment of certain annuities and pensions of soldiers and others under the provisions of certain acts and resolves, a sum not exceeding eighty-four hundred and forty dollars,	8,440 00
	Total,	\$25,440 00
226	For expenses incurred in the construction and repair of roads in the town of Mashpee during the year nineteen hundred and twenty, the sum of three hundred dollars,	\$300 00
227	For maintenance of boulevards and parkways, with the approval of the metropolitan district commission, a sum not exceeding two hundred twenty-nine thousand four hundred and fifty dollars, representing the state's portion or one half of the estimated cost of maintenance, to be paid from receipts in the Motor Vehicle Fees Fund,	229,450 00
228	For maintenance of Wellington bridge, with the approval of the metropolitan district commission, a sum not exceeding thirty-seven hundred and fifty dollars, representing the state's portion or one quarter of the estimated cost of maintenance,	3,750 00
228½	For reimbursing officials for premiums paid for procuring sureties on their bonds, as provided by existing laws, a sum not exceeding three hundred dollars,	300 00
229	For the Worcester Polytechnic Institute, as required by chapter eighty-seven of the resolves of nineteen hundred and twelve, the sum of fifty thousand dollars,	50,000 00

Unclassified accounts and claims.	Item		
	230	For payment in accordance with law of such claims as may arise in consequence of the death of firemen, and of persons acting as firemen, from injuries received in the discharge of their duties, a sum not exceeding twenty-five thousand dollars,	\$25,000 00
	231	For small items of expenditure for which no appropriations have been made, and for cases in which appropriations have been exhausted or have reverted to the treasury in previous years, a sum not exceeding one thousand dollars,	1,000 00
	232	For the payment of any claims, as authorized by section eighty-seven of chapter thirty-two of the General Laws, for an allowance to the families of policemen killed or fatally injured in the discharge of their duties, a sum not exceeding one thousand dollars,	1,000 00
		Total,	\$310,800 00

Service of the Attorney-General's Department.

Attorney- General's De- partment.	Item		
	233	For the salary of the attorney-general, the sum of eight thousand dollars,	\$8,000 00
	234	For the compensation of assistants in his office, and for such other legal and personal services as may be required, a sum not exceeding sixty-seven thousand dollars,	67,000 00
	235	For services other than personal, traveling expenses, office supplies and equipment, a sum not exceeding eight thousand dollars,	8,000 00
		Total,	\$83,000 00

Service of the Department of Agriculture.

Department of Agriculture.	Item		
	236	For the salary of the commissioner, a sum not exceeding five thousand dollars,	\$5,000 00
	237	For personal services of clerks and stenographers, a sum not exceeding twelve thousand five hundred dollars,	12,500 00
	238	For the traveling expenses of the commissioner, a sum not exceeding six hundred dollars,	600 00
	239	For services other than personal, printing the annual report, office supplies and equipment, and printing and furnishing trespass posters, a sum not exceeding fifty-five hundred dollars,	5,500 00
	240	For the compensation and expenses of members of the advisory board, a sum not exceeding twenty-two hundred dollars,	2,200 00
	241	For services and expenses of apiary inspection, a sum not exceeding fifteen hundred dollars,	1,500 00

Item

Division of Agricultural Information:

242	For personal services, a sum not exceeding sixty-five hundred and forty dollars,	\$6,540 00	Division of Agricultural Information.
243	For other expenses and for disseminating useful information in agriculture, a sum not exceeding seventy-two hundred dollars,	7,200 00	

Division of Dairying and Animal Husbandry:

244	For personal services, a sum not exceeding nine thousand dollars,	9,000 00	Division of Dairying and Animal Husbandry.
245	For other expenses including the enforcement of the dairy laws of the commonwealth, a sum not exceeding forty-eight hundred dollars,	4,800 00	
246	For expenses of demonstration sheep farms, a sum not exceeding forty-three hundred dollars,	4,300 00	

Division of Plant Pest Control:

247	For personal services, a sum not exceeding ten thousand seven hundred dollars,	10,700 00	Division of Plant Pest Control.
248	For other expenses, a sum not exceeding sixty-three hundred dollars,	6,300 00	
249	For quarantine and other expenses in connection with the work of suppression of the European corn borer, so-called, a sum not exceeding six thousand dollars,	6,000 00	

Division of Ornithology:

250	For personal services, a sum not exceeding thirty-seven hundred dollars,	3,700 00	Division of Ornithology.
251	For other expenses, a sum not exceeding four hundred and fifty dollars,	450 00	

Division of Markets:

252	For personal services, a sum not exceeding fourteen thousand dollars,	14,000 00	Division of Markets.
253	For other expenses, a sum not exceeding three thousand dollars,	3,000 00	

Division of Reclamation, Soil Survey and Fairs:

254	For personal services, a sum not exceeding ninety-five hundred dollars,	9,500 00	Division of Reclamation, Soil Survey and Fairs.
255	For travel and other expenses, a sum not exceeding fifty-five hundred dollars,	5,500 00	
256	For state prizes and agricultural exhibits, a sum not exceeding twenty-seven thousand dollars, this sum to be in addition to any amount heretofore appropriated for this purpose, and any unexpended balance remaining at the end of the current fiscal year may be used in the succeeding year,	27,000 00	

Division of Reclamation. Soil Survey and Fairs.	Item		
	257	For the supervision and care of school boys working upon farms during the present season, a sum not exceeding two thousand dollars, to be expended with the approval of the commissioner,	\$2,000 00
	257½	For expense of drawings for book on birds of Massachusetts, a sum not exceeding four thousand dollars,	4,000 00
		Total,	\$151,290 00

Service of the Department of Conservation.

Department of Conserva- tion.	Administration:		
	258	For the salary of the commissioner, a sum not exceeding five thousand dollars,	\$5,000 00
	259	For traveling expenses of the commissioner, a sum not exceeding two hundred and fifty dollars,	250 00
		Total,	\$5,250 00

Division of Forestry.	Division of Forestry:		
	260	For personal services of office assistants, a sum not exceeding ten thousand five hundred dollars,	\$10,500 00
	261	For services other than personal, including printing the annual report, and for traveling expenses of the secretary, and necessary office supplies and equipment, a sum not exceeding fifty-five hundred dollars,	5,500 00
	262	For the salaries and expenses of foresters and necessary labor, supplies and equipment in maintaining forest tree nurseries, a sum not exceeding thirteen thousand dollars,	13,000 00
	263	For the purchase of land and reforesting the same, a sum not exceeding ten thousand dollars,	10,000 00
	264	For aiding towns in the purchase of equipment for extinguishing forest fires and for making protective belts or zones as a defense against forest fires, a sum not exceeding one thousand dollars,	1,000 00
	265	For the personal services of the state fire warden and his assistants, and for other services, including traveling expenses of the fire warden and his assistants, necessary supplies and equipment and materials used in new construction in the forest fire prevention service, a sum not exceeding forty thousand dollars,	40,000 00

Item		Division of Forestry.
266	For the suppression of the gypsy and brown tail moths, and for expenses incidental thereto, a sum not exceeding two hundred ten thousand dollars, this sum to be in addition to any amount heretofore appropriated for this purpose, and any unexpended balance remaining at the end of the current fiscal year may be used in the succeeding year,	\$210,000 00
267	For the planting and maintenance of state forests, a sum not exceeding twenty-five thousand dollars,	25,000 00
268	For the purchase and development of state forests, as authorized by section thirty-six of chapter one hundred and thirty-two of the General Laws, a sum not exceeding one hundred seventy-five thousand dollars, this sum to be in addition to any amount heretofore appropriated for this purpose, and any unexpended balance remaining at the end of the current fiscal year may be used in the succeeding year,	175,000 00
269	For the maintenance of the Standish monument reservation, a sum not exceeding three thousand dollars,	3,000 00
270	For the maintenance of Mount Grace state forest, a sum not exceeding one thousand dollars,	1,000 00
271	For the maintenance of nurseries for the growing of seedlings for the planting of state forests, as authorized by section thirty-six of chapter one hundred and thirty-two of the General Laws, a sum not exceeding twenty-five thousand dollars, and any unexpended balance remaining at the end of the current fiscal year may be used in the succeeding year,	25,000 00
272	For reimbursement to certain towns, as authorized by section twenty-four of chapter forty-eight of the General Laws, a sum not exceeding one thousand dollars,	1,000 00
	Total,	\$520,000 00
Division of Fisheries and Game:		
273	For the salary of the director, a sum not exceeding four thousand dollars,	\$4,000 00
274	For personal services of office assistants, a sum not exceeding eighty-six hundred dollars,	8,600 00
275	For services other than personal, including printing the annual report, traveling expenses and necessary office supplies and equipment, a sum not exceeding eleven thousand six hundred dollars,	11,600 00

Division of
Fisheries and
Game.

	Item		
Division of Fisheries and Game.	276	For expenses of exhibitions and other measures to increase the interest of the public in the protection and propagation of fish and game, a sum not exceeding one thousand dollars, .	\$1,000 00
		Enforcement of laws:	
Enforcement of laws.	277	For personal services of fish and game wardens, a sum not exceeding fifty-seven thousand dollars,	57,000 00
	278	For traveling expenses of fish and game wardens, and for other expenses necessary for the enforcement of the laws, a sum not exceeding eighteen thousand three hundred dollars, . .	18,300 00
		Biological work:	
Biological work.	279	For personal services to carry on biological work, a sum not exceeding forty-seven hundred and forty dollars,	4,740 00
	280	For traveling and other expenses of the biologist and his assistants, a sum not exceeding twenty-four hundred dollars,	2,400 00
	281	For the maintenance of game farms and fish hatcheries, and for the propagation of game birds and animals and food fish, a sum not exceeding eighty-two thousand six hundred and fifty dollars,	82,650 00
		Marine fisheries:	
Marine fisheries.	282	For personal services for regulating the sale and cold storage of fresh food fish, a sum not exceeding fifty-six hundred and thirty dollars, . .	5,630 00
	283	For other expenses for regulating the sale and cold storage of fresh food fish, a sum not exceeding twenty-two hundred dollars,	2,200 00
		Total,	\$198,120 00
		For certain improvements and the purchase of land to be made under the direction of the Division of Fisheries and Game, as follows:	
For certain improvements and purchase of land.	284	At the Montague rearing station, a sum not exceeding one thousand dollars,	\$1,000 00
	285	At the Palmer hatchery, a sum not exceeding twelve hundred dollars,	1,200 00
	286	(This item omitted.)	
	287	At the Marshfield bird farm, a sum not exceeding twenty-five hundred dollars,	2,500 00
		Total,	\$4,700 00

Claims for Damages by Wild Deer.

Item			
288	For the payment of damages caused by wild deer, for the present year and previous years, as provided by law, a sum not exceeding six thousand dollars,	\$6,000 00	Claims for Damages by Wild Deer.

Bounty on Seals.

289	For bounties on seals, a sum not exceeding one hundred dollars,	\$100 00	Bounty on Seals.
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Division of Animal Industry:

290	For the salary of the director, a sum not exceeding thirty-five hundred dollars,	3,500 00	Division of Animal Industry.
291	For personal services of clerks and stenographers, a sum not exceeding eighty-one hundred dollars,	8,100 00	
292	For services other than personal, including printing the annual report, traveling expenses of the director, and office supplies and equipment, a sum not exceeding thirty-eight hundred dollars,	3,800 00	
293	For personal services of veterinarians and agents engaged in the work of extermination of contagious diseases among domestic animals, a sum not exceeding fifty thousand dollars,	50,000 00	
294	For the traveling expenses of veterinarians and agents, a sum not exceeding twenty-four thousand dollars,	24,000 00	
295	For reimbursement of owners of cattle and horses killed, travel, when allowed, of inspectors of animals, incidental expenses of killing and burial, quarantine and emergency services, and for laboratory and veterinary supplies and equipment, a sum not exceeding sixty-five thousand dollars,	65,000 00	

Total, \$154,400 00

Reimbursement of towns for Inspectors of Animals:

296	For the reimbursement of certain towns for compensation paid to inspectors of animals, a sum not exceeding seven thousand dollars,	\$7,000 00	Reimbursement of towns for Inspectors of Animals.
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Service of Department of Banking and Insurance.

Division of Banks and Loan Agencies:

297	For salary of the commissioner, the sum of six thousand dollars,	\$6,000 00	Department of Banking and Insurance. Division of Banks and Loan Agencies.
298	For services of directors, examiners and assistants, clerks, stenographers and experts, a sum not exceeding two hundred thousand dollars,	200,000 00	

	Item		
Division of Banks and Loan Agencies.	299	For services other than personal, printing the annual report, traveling expenses, office supplies and equipment, a sum not exceeding ninety-five thousand dollars,	\$95,000 00
		Total,	\$301,000 00
		Supervisor of Loan Agencies:	
Supervisor of Loan Agencies.	300	For salary of the deputy appointed supervisor, a sum not exceeding thirty-five hundred dollars,	\$3,500 00
	301	For services of assistants in the supervisor's office, a sum not exceeding thirty-seven hundred and fifty dollars,	3,750 00
	302	For services other than personal, printing the annual report, office supplies and equipment, a sum not exceeding eight hundred dollars,	800 00
		Total,	\$8,050 00
		Registration of Public Accountants:	
Registration of Public Ac- countants.	303	For examinations and registration of public accountants, including personal services of examiners, other services and necessary supplies and equipment, the said expenses to be incurred under the direction and with the approval of the commissioner of banks, a sum not exceeding twenty-three hundred and sixty-five dollars,	\$2,365 00
		Division of Insurance:	
Division of Insurance.	304	For personal services of the division, a sum not exceeding ninety-nine thousand dollars,	99,000 00
	305	For other services, including printing the annual report, traveling expenses, and necessary office supplies and equipment, a sum not exceeding twenty-one thousand dollars,	21,000 00
		Total,	\$120,000 00
		Board of Appeal on Fire Insurance Rates:	
Board of Appeal on Fire Insurance Rates.	306	For expenses of the board, a sum not exceeding two hundred dollars,	\$200 00
		Division of Savings Banks Life Insurance:	
Division of Savings Bank Life Insurance.	307	For personal services of officers and employees, a sum not exceeding eighteen thousand nine hundred dollars,	18,900 00
	308	For publicity, including traveling expenses of one person, a sum not exceeding fifteen hundred dollars,	1,500 00

Item			
309	For services other than personal, printing the annual report and traveling expenses, office supplies and equipment, a sum not exceeding forty-one hundred dollars,	\$4,100 00	Division of Savings Bank Life Insurance.
310	For encouraging and promoting old age annuities and the organization of mutual benefit associations among the employees of industrial plants in the commonwealth, a sum not exceeding two thousand dollars,	2,000 00	
	Total,	\$26,500 00	

Service of the Department of Corporations and Taxation.

311	For the salaries of the commissioner and certain positions filled by the commissioner, with the approval of the governor and council, a sum not exceeding forty-four thousand and fifty-five dollars,	\$44,055 00	Department of Corporations and Taxation.
312	For the services of additional clerical and other assistants, a sum not exceeding seventy-eight thousand dollars,	78,000 00	
313	For traveling expenses, a sum not exceeding forty-eight hundred dollars,	4,800 00	
314	For printing valuation books, a sum not exceeding forty-five hundred dollars,	4,500 00	
315	For other services and for necessary office supplies and equipment, a sum not exceeding twenty-one thousand five hundred dollars,	21,500 00	
	Total,	\$152,855 00	

Income Tax Division (the following appropriations are to be made from the receipts from the income tax):

316	For personal services of the deputy, assistants, assessors, assistant assessors, clerks, stenographers and other necessary assistants, a sum not exceeding three hundred thirteen thousand dollars,	\$313,000 00	Income Tax Division.
317	For traveling expenses of members of the division, a sum not exceeding eight thousand dollars,	8,000 00	
318	For services other than personal and for office supplies and equipment, a sum not exceeding one hundred twelve thousand dollars,	112,000 00	
	Total,	\$433,000 00	

Division of Accounts:

319	For personal services, a sum not exceeding forty thousand dollars,	\$40,000 00	Division of Accounts.
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Division of Accounts.	Item	
	320	For other expenses, a sum not exceeding ten thousand five hundred dollars, . . . \$10,500 00
	321	(This item omitted.)
	322	For services and expenses of auditing and installing municipal accounts, the cost of which is to be assessed upon the municipalities for which the work is done, a sum not exceeding forty-eight thousand dollars, . . . 48,000 00
	323	For the expense of certain books, forms and other material, which may be sold to cities and towns requiring the same for maintaining their system of accounts, a sum not exceeding four thousand dollars, . . . 4,000 00
		<hr/>
	Total, \$102,500 00
Reimbursement to certain cities and towns for loss of certain taxes.	324	For reimbursing cities and towns for loss of taxes on land used for state institutions, as certified by the commissioner of corporations and taxation, for the fiscal year ending November thirtieth, nineteen hundred and twenty-one, a sum not exceeding seventy-two thousand dollars, \$72,000 00

Service of the Department of Education.

Department of Education.	325	For the personal services of officers, agents, clerks, stenographers and other assistants, but not including those employed in university extension work, a sum not exceeding seventy-eight thousand five hundred dollars, . . . \$78,500 00
	326	For the training of teachers for vocational schools to comply with the requirements of federal authorities under the provisions of the Smith-Hughes act, so-called, a sum not exceeding thirty-one thousand sixty-two dollars and fifty cents, . . . 31,062 50
	327	For traveling expenses of members of the board and of agents and employees when required to travel in discharge of their duties, a sum not exceeding eighty-five hundred dollars, . . . 8,500 00
	328	For services other than personal, necessary office supplies, and for printing the annual report and bulletins as provided by law, a sum not exceeding eighteen thousand dollars, . . . 18,000 00
	329	For expenses incidental to furnishing school committees with rules for testing the sight and hearing of pupils, a sum not exceeding eight hundred dollars, . . . 800 00
	330	For printing school registers and other school blanks for cities and towns, a sum not exceeding twenty-four hundred dollars, . . . 2,400 00

Item		Department of Education.
331	For assisting small towns in providing themselves with school superintendents, as provided by law, a sum not exceeding one hundred eighteen thousand dollars,	\$118,000 00
332	For the reimbursement of certain towns for the payment of tuition of children attending high schools outside the towns in which they reside, as provided by law, a sum not exceeding one hundred nineteen thousand five hundred dollars,	119,500 00
333	For the reimbursement of certain towns for the transportation of pupils attending high schools outside the towns in which they reside, as provided by law, a sum not exceeding fifty-seven thousand dollars,	57,000 00
334	For the reimbursement of certain cities and towns for a part of the expense of maintaining agricultural and industrial vocational schools, as provided by law, a sum not exceeding five hundred eighty-one thousand six hundred ninety dollars and seventy-four cents,	581,690 74
335	For the education of deaf and blind pupils of the commonwealth, as provided by section twenty-six of chapter sixty-nine of the General Laws, a sum not exceeding three hundred one thousand five hundred dollars,	301,500 00
336	For expenses of holding teachers' institutes, a sum not exceeding two thousand dollars,	2,000 00
337	For aid to certain pupils in normal schools under the direction of the department of education, a sum not exceeding four thousand dollars,	4,000 00
	Total,	\$1,322,953 24
English Speaking Classes for Adults:		
338a	For personal services of administration, a sum not exceeding eleven thousand seven hundred and thirty dollars,	\$11,730 00
338b	For other expenses of administration, a sum not exceeding fifty-nine hundred and seventy dollars,	5,970 00
338c	For reimbursement of certain cities and towns, a sum not exceeding ninety-seven thousand three hundred dollars,	97,300 00
	Total,	\$115,000 00
University Extension courses:		
339	For personal services, a sum not exceeding one hundred forty thousand dollars,	\$140,000 00
340	For other expenses, a sum not exceeding fifty-six thousand dollars,	56,000 00
	Total,	\$196,000 00

Item		
Division of Immigration and Americanization:		
Division of Immigration and Americanization.	341	For personal services, a sum not exceeding twenty-nine thousand and fifty dollars, . . . \$29,050 00
	342	For other expenses, a sum not exceeding eight thousand dollars, 8,000 00
	Total, \$37,050 00
Division of Public Libraries:		
Division of Public Libraries.	343	For personal services of regular agents and office assistants, a sum not exceeding ninety-four hundred dollars, \$9,400 00
	344	For other services, including printing the annual report, traveling expenses, necessary office supplies, and expenses incidental to the aiding of public libraries, a sum not exceeding thirteen thousand seven hundred and ninety dollars, . . . 13,790 00
	Total, \$23,190 00
Division of the Blind:		
Division of the Blind.	345	For general administration, furnishing information, industrial and educational aid, and for carrying out the other provisions of the laws establishing said division, a sum not exceeding sixty-seven thousand dollars, \$67,000 00
	346	For maintenance of industries under the control of said division, a sum not exceeding fifty-three thousand five hundred dollars, the same to be in addition to the income collected by the division from sales of products, 53,500 00
	347	For instruction of the adult blind in their homes, a sum not exceeding ten thousand dollars, . . . 10,000 00
	348	For expenses of providing sight-saving classes, with the approval of the division of the blind, a sum not exceeding ten thousand dollars, . . . 10,000 00
	349	For aiding the adult blind, subject to the conditions provided by law, a sum not exceeding eighty-one thousand dollars, 81,000 00
	Total, \$221,500 00
Teachers' Retirement Board:		
Teachers' Retirement Board.	350	For personal services of employees, a sum not exceeding eight thousand and twenty dollars, . . . \$8,020 00
	351	For services other than personal, including printing the annual report, traveling expenses and office supplies and equipment, a sum not exceeding fifteen hundred and fifty dollars, . . . 1,550 00

Item			
352	For payment of pensions to retired teachers, a sum not exceeding one hundred sixty-two thousand dollars,	\$162,000 00	Teachers' Retirement Board.
353	For reimbursement of certain cities and towns for pensions to retired teachers, a sum not exceeding forty-seven thousand one hundred five dollars and thirty-seven cents,	47,105 37	
	Total,	\$218,675 37	
	Massachusetts Agricultural College:		
354	For maintenance and current expenses, a sum not exceeding eight hundred fifteen thousand and seventy-five dollars,	\$815,075 00	Massachusetts Agricultural College.
355	For miscellaneous improvements and equipment, a sum not exceeding twenty-five thousand dollars,	25,000 00	
356	(This item omitted.)		
357	(This item omitted.)		
358	For the erection at the market garden field station of an administration building and the necessary equipment for same, a sum not exceeding ten thousand dollars,	10,000 00	
359	(This item omitted.)		
	Total,	\$850,075 00	
	Massachusetts Nautical School:		
360	For personal services of the secretary and office assistants, a sum not exceeding thirty-nine hundred and sixty dollars,	\$3,960 00	Massachusetts Nautical School.
361	For services other than regular clerical services, including printing the annual report, rent, office supplies and equipment, a sum not exceeding twenty-six hundred dollars,	2,600 00	
362	For the maintenance of the school and ship, a sum not exceeding eighty-eight thousand two hundred dollars,	88,200 00	
	Total,	\$94,760 00	
	For the maintenance of the state normal schools, and the boarding halls attached thereto, with the approval of the commissioner of education, as follows:		
363	Bridgewater normal school, a sum not exceeding one hundred twenty-seven thousand eight hundred and twenty-five dollars,	\$127,825 00	Maintenance of state normal schools.
363½	Bridgewater normal school boarding hall, a sum not exceeding seventy-eight thousand dollars,	78,000 00	

	Item	
Maintenance of state normal schools.	364	Fitchburg normal school, a sum not exceeding one hundred forty-four thousand two hundred and five dollars, \$141,205 00
	364½	Fitchburg normal school boarding hall, a sum not exceeding thirty-eight thousand four hundred dollars, 38,400 00
	365	Framingham normal school, a sum not exceeding one hundred twenty-five thousand three hundred and twenty dollars, 125,320 00
	365½	Framingham normal school boarding hall, a sum not exceeding ninety-seven thousand five hundred dollars, 97,500 00
	366	Hyannis normal school, a sum not exceeding thirty-eight thousand seven hundred and fifty dollars, 38,750 00
	366½	Hyannis normal school boarding hall, a sum not exceeding thirty-one thousand dollars, 31,000 00
	367	Lowell normal school, a sum not exceeding fifty-nine thousand and ninety-five dollars, 59,095 00
	368	North Adams normal school, a sum not exceeding fifty-nine thousand two hundred and fifty dollars, 59,250 00
	368½	North Adams normal school boarding hall, a sum not exceeding fourteen thousand three hundred and fifty dollars, 14,350 00
	369	Salem normal school, a sum not exceeding one hundred thousand seven hundred and fifty dollars, 100,750 00
	370	Westfield normal school, a sum not exceeding seventy-five thousand two hundred dollars, 75,200 00
	370½	Westfield normal school boarding hall, a sum not exceeding twenty-two thousand five hundred dollars, 22,500 00
	371	Worcester normal school, a sum not exceeding sixty-four thousand six hundred dollars, 64,600 00
	371½	Worcester normal school boarding hall, a sum not exceeding fifty-two hundred dollars, 5,200 00
	372	Normal art school, a sum not exceeding seventy-seven thousand one hundred and fifty dollars, 77,150 00
		Total, \$1,159,095 00
Bradford Durfee Textile School.	373	For the maintenance of the Bradford Durfee Textile School of Fall River, a sum not exceeding sixty-four thousand five hundred and twenty-five dollars, of which sum ten thousand dollars is to be contributed by the city of Fall River, and the city of Fall River is hereby authorized to raise by taxation the said sum of ten thousand dollars, \$64,525 00
	374	For certain equipment for the Bradford Durfee Textile School of Fall River, a sum not exceeding five thousand dollars, 5,000 00

Item		
375	For the maintenance of the Lowell Textile School, a sum not exceeding one hundred seventy-five thousand four hundred and fifty dollars, of which sum ten thousand dollars is to be contributed by the city of Lowell, and the city of Lowell is hereby authorized to raise by taxation the said sum of ten thousand dollars, .	Lowell Textile School. \$175,450 00
376	For the purchase of certain land for the use of the Lowell Textile School, a sum not exceeding four thousand dollars, .	4,000 00
377	For the maintenance of the New Bedford Textile School, a sum not exceeding seventy-four thousand four hundred dollars, of which sum ten thousand dollars is to be contributed by the city of New Bedford, and the city of New Bedford is hereby authorized to raise by taxation the said sum of ten thousand dollars, .	New Bedford Textile School. 74,400 00
Total,		\$323,375 00

Service of the Department of Civil Service and Registration.

378	For personal services of telephone operator for the department, a sum not exceeding eight hundred and seventy dollars,	Department of Civil Service and Registration. \$870 00
Division of Civil Service:		
379	For personal services of the division of civil service, a sum not exceeding seventy-eight thousand seven hundred dollars,	Division of Civil Service. 78,700 00
(The above item is substituted for items Nos. 379 and 380.)		
380	(See Item 379.)	
381	For other services and for printing the annual report, and for office supplies and equipment, a sum not exceeding twenty-eight thousand dollars,	28,000 00
382	For services and traveling expenses in conducting investigations as provided by sections thirty-three and thirty-four of chapter thirty-one of the General Laws, a sum not exceeding one thousand dollars,	1,000 00
Total,		\$107,700 00
Division of Registration:		
383	For the salary of the director, a sum not exceeding fifteen hundred dollars,	Division of Registration. \$1,500 00
384	For expenses of the director, a sum not exceeding one thousand dollars,	1,000 00
Total,		\$2,500 00

Item		
Board of Registration in Medicine:		
Board of Registration in Medicine.	385	For services of the members of the board, a sum not exceeding forty-three hundred dollars, . . . \$4,300 00
	386	For services of office assistants, a sum not exceeding eighteen hundred and sixty dollars, . . . 1,860 00
	387	For personal services of members of the board and examiners for the registration of chiropodists, a sum not exceeding six hundred dollars, . . . 600 00
	388	For services other than personal, including the printing of the annual report, traveling expenses, rent of office, office supplies and equipment, a sum not exceeding two thousand dollars, 2,000 00
Total,		\$8,760 00
Board of Dental Examiners:		
Board of Dental Exam- iners.	389	For services of the members of the board and clerical assistance, a sum not exceeding forty-one hundred and twenty dollars, . . . \$4,120 00
	390	For other services, including printing the annual report, and for rent, traveling expenses, office supplies and equipment, a sum not exceeding twenty-eight hundred dollars, 2,800 00
Total,		\$6,920 00
Board of Registration in Pharmacy:		
Board of Registration in Pharmacy.	391	For personal services of members of the board, a sum not exceeding thirty-eight hundred dollars, \$3,800 00
	392	For services of the agent and office assistants, a sum not exceeding thirty-eight hundred dollars, 3,800 00
	393	For services other than personal, printing the annual report, traveling expenses, office supplies and equipment, a sum not exceeding thirty-two hundred dollars, 3,200 00
Total,		\$10,800 00
Board of Registration of Nurses:		
Board of Registration of Nurses.	394	For services of members of the board, a sum not exceeding twenty-one hundred dollars, . . . \$2,100 00
	395	For services of clerical assistants in their office, a sum not exceeding twenty-one hundred dollars, 2,100 00
	396	For services other than personal, printing the annual report, office rent, traveling expenses and office supplies and equipment, a sum not exceeding two thousand dollars, 2,000 00
Total,		\$6,200 00

Item			
	Board of Registration in Embalming.		
397	For compensation of members of the board and services of their clerk, a sum not exceeding fourteen hundred dollars,	\$1,400	Board of Registration in Embalming.
398	For services other than personal, including traveling expenses, supplies and office equipment, a sum not exceeding fifteen hundred dollars,	1,500	
	Total,	\$2,900	
	Board of Registration in Optometry:		
399	For personal services of the members of the board, a sum not exceeding nineteen hundred dollars,	\$1,900	Board of Registration in Optometry.
400	For clerical services, a sum not exceeding five hundred dollars,	500	
401	For other services, printing the annual report, office supplies and equipment, and traveling expenses of the members of the board, a sum not exceeding five hundred dollars,	500	
	Total,	\$2,900	
	Board of Registration in Veterinary Medicine:		
402	For services of the members of the board and secretary, a sum not exceeding six hundred dollars,	\$600	Board of Registration in Veterinary Medicine.
403	For other services, printing the annual report, traveling expenses, office supplies and equipment, a sum not exceeding four hundred dollars,	400	
	Total,	\$1,000	
	State Examiners of Electricians:		
404	For personal services of the secretary and assistants a sum not exceeding five thousand and fifty dollars,	\$5,050	State Examiners of Electricians.
405	For other expenses, including printing the annual report, traveling expenses, office supplies and equipment, a sum not exceeding three thousand dollars,	3,000	
	Total,	\$8,050	
	<i>Service of the Department of Industrial Accidents.</i>		
406	For personal services of members of the board, secretaries, medical adviser, industrial training director and inspectors, a sum not exceeding fifty-seven thousand dollars,	\$57,000	Department of Industrial Accidents.

Department of Industrial Accidents.	Item	
	407	For personal services of clerks and office assistants, a sum not exceeding seventy-three thousand seven hundred dollars, \$73,700 00
	408	For expenses of impartial examinations, a sum not exceeding twenty-two thousand five hundred dollars, 22,500 00
	409	For traveling expenses, a sum not exceeding fifty-six hundred dollars, 5,600 00
	410	For other services, printing the annual report, necessary office supplies and equipment, a sum not exceeding eleven thousand three hundred dollars, 11,300 00
	<hr/> Total, \$170,100 00	

Service of the Department of Labor and Industries.

Department of Labor and Industries.	Item	
	411	For salary of the commissioner, assistant and associate commissioners, a sum not exceeding twenty thousand five hundred dollars, . . . \$20,500 00
	412	For clerical and other assistance to the commissioner, a sum not exceeding forty-four hundred and ten dollars, 4,410 00
	413	For personal services for the inspectional service, a sum not exceeding one hundred thousand seven hundred dollars, 100,700 00
	414	For personal services for the statistical service, a sum not exceeding thirty-seven thousand dollars, 37,000 00
	415	For clerical and other personal services for the operation of free employment offices, a sum not exceeding forty-four thousand dollars, . . . 44,000 00
	416	For clerical and other assistance for the board of conciliation and arbitration, a sum not exceeding seventeen thousand dollars, 17,000 00
	417	For personal services of investigators, clerks and stenographers for the minimum wage services, a sum not exceeding eleven thousand eight hundred dollars, 11,800 00
	418	For compensation and expenses of wage boards, a sum not exceeding three thousand dollars, . . . 3,000 00
	419	For personal services for the division of standards, a sum not exceeding nineteen thousand three hundred and eighty dollars, 19,380 00
	420	For personal services of inspectors in surveying lumber, a sum not exceeding thirty-four thousand four hundred dollars, 34,400 00
	421	For traveling expenses of the commissioner, assistant commissioner, associate commissioners and inspectors of labor, a sum not exceeding sixteen thousand eight hundred dollars, . . . 16,800 00

Item		
422	For services other than personal, printing the annual report, rent of district offices and office supplies and equipment for the inspectional service, a sum not exceeding fourteen thousand one hundred dollars,	Department of Labor and Industries. \$14,100 00
423	For services other than personal, printing reports and publications, traveling expenses and office supplies and equipment for the statistical service, a sum not exceeding fourteen thousand dollars,	14,000 00
424	For rent, necessary office supplies and equipment for the free employment offices, a sum not exceeding thirteen thousand seven hundred dollars,	13,700 00
425	For other services, printing, traveling expenses and office supplies and equipment for the board of conciliation and arbitration, a sum not exceeding six thousand dollars,	6,000 00
426	For services other than personal, printing, traveling expenses and office supplies and equipment for minimum wage service, a sum not exceeding three thousand dollars,	3,000 00
427	For other services, printing, traveling expenses and office supplies and equipment for the division of standards, a sum not exceeding eleven thousand dollars,	11,000 00
428	For travel and expenses of the inspectors for surveying lumber, a sum not exceeding fifty-five hundred dollars,	5,500 00
	Total,	\$376,290 00
	Commission on Foreign and Domestic Commerce:	
429	For personal services of employees of the commission, a sum not exceeding eleven thousand dollars,	Commission on Foreign and Domestic Commerce. \$11,000 00
430	For other expenses of the commission, a sum not exceeding four thousand dollars,	4,000 00
	Total,	\$15,000 00
	<i>Service of the Department of Mental Diseases.</i>	
431	For personal services of the director, officers and employees, a sum not exceeding seventy thousand dollars,	Department of Mental Diseases. \$70,000 00
432	For transportation and medical examination of state paupers under its charge for the present year and previous years, a sum not exceeding seven thousand dollars,	7,000 00

Department of Mental Diseases.	Item	
	433	For the support of insane paupers boarded in families under its charge, or temporarily absent under authority of the same, for the present year and previous years, a sum not exceeding seven thousand dollars,
		\$7,000 00
	434	For the support of state paupers in the Hospital Cottages for Children, a sum not exceeding twenty-two thousand dollars,
		22,000 00
	435	For the expenses of an investigation as to the nature, causes, results and treatment of mental diseases and defects, and the publication of the results thereof, a sum not exceeding three thousand dollars,
		3,000 00
	436	For other services, including printing the annual report, traveling and office supplies and equipment, a sum not exceeding eighteen thousand dollars,
		18,000 00
		<hr/>
	Total, \$127,000 00

For the maintenance of and for certain improvements at the following institutions under the control of the Department of Mental Diseases:

Institutions under control of Department of Mental Diseases.		
	437	Boston state hospital, a sum not exceeding eight hundred eight thousand and thirty dollars,
		\$808,030 00
	438	For building, furnishing and equipping a home for ninety nurses at the Boston state hospital, a sum not exceeding fifteen thousand two hundred dollars, the same to be in addition to any sum heretofore appropriated for the purposes,
		15,200 00
	439	For building, furnishing and equipping a congregate dining room for the west group, a sum not exceeding fourteen thousand one hundred dollars, the same to be in addition to any sum heretofore appropriated for the purpose,
		14,100 00
	440	For an addition to the present laundry building and certain new machinery at the Boston state hospital, a sum not exceeding fifteen thousand dollars,
		15,000 00
	441	For building a male infirmary at the Boston state hospital, a sum not exceeding thirty-five hundred ninety-five dollars and eighty cents, the same to be in addition to any sum heretofore appropriated for the purpose,
		3,595 80
	442	For repairs or reconstruction of a certain sewer line at the Boston state hospital, a sum not exceeding five thousand dollars,
		5,000 00
	443	Boston psychopathic hospital, a sum not exceeding two hundred thirty-four thousand eight hundred dollars,
		234,800 00
	444	Danvers state hospital, a sum not exceeding five hundred eighty thousand five hundred dollars,
		580,500 00

Item			Institutions under control of Department of Mental Diseases.
445	For changes in electrical, refrigerating and lighting plants at the Danvers state hospital, a sum not exceeding fifty thousand dollars,	\$50,000 00	
446	Foxborough state hospital, a sum not exceeding two hundred sixty-eight thousand nine hundred dollars,	268,900 00	
447	(This item omitted.)		
448	For building, furnishing and equipping a male infirmary building at the Foxborough state hospital, a sum not exceeding one hundred fifty-nine thousand dollars,	159,000 00	
449	For the renovation of ward E at the Foxborough state hospital, a sum not exceeding twelve thousand seven hundred and fifty dollars,	12,750 00	
450	For the erection of a barn at the Foxborough state hospital, a sum not exceeding twenty-eight thousand dollars,	28,000 00	
451	Gardner state colony, a sum not exceeding three hundred forty-seven thousand three hundred dollars,	347,300 00	
452	(This item omitted.)		
453	Grafton state hospital, a sum not exceeding five hundred twenty-nine thousand eight hundred dollars,	529,800 00	
454	For the erection of a cow barn at the Grafton state hospital, a sum not exceeding ten thousand four hundred dollars,	10,400 00	
455	Massachusetts School for the Feeble-Minded, a sum not exceeding five hundred ninety-two thousand four hundred dollars,	592,400 00	
455½	For the city of Waltham, rental for sewage disposal, the sum of sixteen hundred and twenty-seven dollars,	1,627 00	
456	For building cottages for officers at the Massachusetts School for the Feeble-Minded, a sum not exceeding sixteen thousand dollars,	16,000 00	
457	Medfield state hospital, a sum not exceeding five hundred ninety-five thousand three hundred dollars,	595,300 00	
458	Monson state hospital, a sum not exceeding three hundred ninety thousand five hundred dollars,	390,500 00	
459	Northampton state hospital, a sum not exceeding three hundred forty-seven thousand four hundred dollars,	347,400 00	
460	Taunton state hospital, a sum not exceeding four hundred ninety-six thousand eight hundred dollars,	496,800 00	
461	Westborough state hospital, a sum not exceeding four hundred ninety-six thousand five hundred dollars,	496,500 00	
462	For the renovation of certain wards at the Westborough state hospital, a sum not exceeding sixty thousand dollars,	60,000 00	

	Item	
Institutions under control of Department of Mental Diseases.	463	(This item omitted.)
	464	Worcester state hospital, a sum not exceeding seven hundred forty thousand four hundred dollars, \$740,400 00
	465	(This item omitted.)
	466	For alterations in heating shaft at the Worcester state hospital, a sum not exceeding sixteen thousand dollars, 16,000 00
	467	Wrentham state school, a sum not exceeding four hundred seventy-nine thousand five hundred dollars, 479,500 00
	468	For building an assembly hall at the Wrentham state school, a sum not exceeding ninety-four thousand dollars, 94,000 00
	469	For the erection of a barn at the Wrentham state school, a sum not exceeding twenty-five thou- sand dollars, 25,000 00
		Belchertown School for the Feeble-Minded:
Belchertown School for the Feeble-Minded.	470	For the erection of a custodial building, a sum not exceeding one hundred thirty-three thou- sand dollars, 133,000 00
	471	For the erection of a dormitory building, a sum not exceeding ninety-eight thousand dollars, 98,000 00
	472	For building cottages for employees, a sum not exceeding twenty-nine thousand four hundred dollars, 29,400 00
	473	For the continuation of road work and grading, a sum not exceeding ten thousand dollars, 10,000 00
	474	(This item omitted.)
	Total, \$7,704,202 80
<i>Service of the Department of Correction.</i>		
Department of Correction.	475	For the personal services of the commissioner, deputies and members of the board of parole and advisory board of pardons, a sum not ex- ceeding nineteen thousand dollars, \$19,000 00
	476	For the personal services of clerks, stenographers and agents, a sum not exceeding forty-three thousand seven hundred dollars, 43,700 00
	477	For services other than personal, including print- ing the annual report, necessary office supplies and equipment, a sum not exceeding seven thousand dollars, 7,000 00
	478	For traveling expenses of officers and employees of the department when required to travel in the discharge of their duties, a sum not exceed- ing ten thousand dollars, 10,000 00
	479	For the removal of prisoners to and from state institutions, a sum not exceeding five thousand dollars, 5,000 00

Item		Department of Correction.
480	For assistance to prisoners discharged from the state prison, Massachusetts reformatory, prison camp and hospital and state farm, and to discharged female prisoners, a sum not exceeding eleven thousand five hundred dollars,	\$11,500 00
480½	For the relief of the families or dependents of inmates of state penal institutions, a sum not exceeding five hundred dollars,	500 00
	Total,	\$96,700 00

For the maintenance of the following institutions under the control of the Department of Correction:

		Institutions under control of Department of Correction.
481	State farm, a sum not exceeding four hundred nineteen thousand three hundred dollars,	\$419,300 00
482	State prison, a sum not exceeding two hundred ninety-one thousand one hundred dollars,	291,100 00
483	Prison camp and hospital, a sum not exceeding seventy-nine thousand nine hundred and fifty dollars,	79,950 00
484	Massachusetts reformatory, a sum not exceeding three hundred five thousand eight hundred dollars,	305,800 00
485	Reformatory for women, a sum not exceeding one hundred sixty-two thousand four hundred and ninety dollars,	162,490 00
486	For the town of Framingham, according to a contract for sewage disposal at the reformatory for women, the sum of six hundred dollars,	600 00
487	(This item omitted.)	
	Total,	\$1,259,240 00

Service of the Department of Public Welfare.

		Department of Public Welfare.
488	For personal services of officers and employees, a sum not exceeding twenty-six thousand seven hundred and sixty dollars,	\$26,760 00
489	For services other than personal, printing the annual report, traveling expenses, including expenses of auxiliary visitors, and office supplies and expenses, a sum not exceeding seventy-five hundred dollars,	7,500 00
	Total,	\$34,260 00

Division of Aid and Relief:

		Division of Aid and Relief.
490	For personal services of officers and employees, a sum not exceeding ninety-five thousand dollars,	\$95,000 00

	Item	
Division of Aid and Relief.	491	For services other than personal, including traveling expenses and office supplies and equipment, a sum not exceeding twenty-two thousand dollars,
		\$22,000 00
	492	For the transportation of state paupers under the charge of the department, for the present year and previous years, a sum not exceeding fifteen thousand dollars,
		15,000 00

The following items are for reimbursement of cities and towns:

Reimburse- ment of cities and towns.	493	For the payment of suitable aid to mothers with dependent children, for the present year and previous years, a sum not exceeding nine hundred thousand dollars,	900,000 00
	494	For the burial of state paupers by cities and towns, for the present year and previous years, a sum not exceeding six thousand dollars,	6,000 00
	495	For expenses in connection with smallpox and other diseases dangerous to the public health, for the present year and previous years, a sum not exceeding one hundred twenty-five thousand dollars,	125,000 00
	496	For the support of sick paupers by cities and towns, for the present year and previous years, the same to include cases of wife settlement, a sum not exceeding eighty thousand dollars,	80,000 00
	497	For temporary aid given to state paupers and shipwrecked seamen by cities and towns, for the present year and previous years, a sum not exceeding three hundred thousand dollars,	300,000 00
	Total,		\$1,543,000 00

Division of Child Guardianship:

Division of Child Guar- dianship.	498	For personal services of officers and employees, a sum not exceeding one hundred thirty-eight thousand dollars,	\$138,000 00
	499	For services other than personal, office supplies and equipment, a sum not exceeding six thousand dollars,	6,000 00
	500	For tuition in the public schools, including transportation to and from school of children boarded or bound out by the department, a sum not exceeding ninety thousand dollars,	90,000 00
	501	For the care and maintenance of indigent and neglected children and juvenile offenders, for the present year and previous years, a sum not exceeding eight hundred twenty thousand dollars,	820,000 00

Item		Division of
502	For the care, maintenance and transportation of unsettled pauper infants, for the present year and previous years, a sum not exceeding ninety-two thousand eight hundred dollars,	Child Guardianship.
	\$92,800 00	
	Total,	\$1,146,800 00
	Homestead Commission:	
503	For services of a stenographer, a sum not exceeding fourteen hundred and ten dollars,	Homestead Commission.
	\$1,410 00	
504	For other services, printing, traveling expenses, office supplies and equipment, a sum not exceeding eight hundred dollars,	
	800 00	
	Total,	\$2,210 00
	Division of Juvenile Training:	
	Trustees, Massachusetts Training Schools:	
505	For services of the executive secretary and stenographer, a sum not exceeding fifty-five hundred dollars,	Division of Juvenile Training. Massachusetts Training Schools.
	\$5,500 00	
506	For services other than personal, including printing the annual report, traveling and other expenses of the members of the board and employees, office supplies and equipment, a sum not exceeding twenty-six hundred dollars,	
	2,600 00	
	Boys' Parole:	
507	For personal services of agents in the division for boys paroled and boarded in families, a sum not exceeding twenty-eight thousand and fifty dollars,	Boys' Parole.
	28,050 00	
508	For services other than personal, including traveling expenses of the agents and boys, and necessary office supplies and equipment, a sum not exceeding seventeen thousand five hundred dollars,	
	17,500 00	
509	For board, clothing, medical and other expenses incidental to the care of boys, a sum not exceeding twenty-four thousand seven hundred dollars,	
	24,700 00	
	Girls' Parole:	
510	For personal services of agents in the division for girls paroled from the industrial school for girls, a sum not exceeding twenty-three thousand four hundred dollars,	Girls' Parole.
	23,400 00	
511	For traveling expenses of said agents for the girls paroled, for board, medical and other care of girls, for services other than personal, for office supplies and equipment, a sum not exceeding eleven thousand six hundred dollars,	
	11,600 00	

	Item	
Girls' Parole.	512	For reimbursement of cities and towns for tuition of children attending the public schools, a sum not exceeding eighteen hundred and fifty dollars, \$1,850 00
		Total, \$115,200 00
		For the maintenance of the institutions under the control of the trustees of the Massachusetts Training Schools, with the approval of the said trustees, as follows:
Institutions under control of trustees of Massachusetts Training Schools.	513	Industrial school for boys, a sum not exceeding one hundred forty-six thousand seven hundred dollars, \$146,700 00
	514	For the construction and equipment of a kitchen and laundry building at the industrial school for boys, a sum not exceeding sixty-two thousand dollars, 62,000 00
	515	Industrial school for girls, a sum not exceeding one hundred sixty-two thousand four hundred dollars, 162,400 00
	516	Lyman school for boys, a sum not exceeding two hundred thirty-four thousand four hundred dollars, 234,400 00
		Total, \$605,500 00
		Massachusetts Hospital School:
Massachusetts Hospital School.	517	For the maintenance of the Massachusetts hospital school, to be expended with the approval of the trustees thereof, a sum not exceeding one hundred fifty-one thousand eight hundred and sixty dollars, \$151,860 00
		State Infirmary:
State Infirmary.	518	For the maintenance of the state infirmary, to be expended with the approval of the trustees thereof, a sum not exceeding eight hundred eighty-six thousand one hundred dollars, 886,100 00
	519	For the renovation, improvement and equipment of the domestic building at the state infirmary, a sum not exceeding fifty thousand dollars, 50,000 00
		Total, \$936,100 00
		Service of Department of Public Health.
		Division of Administration:
Department of Public Health. Division of Administration.	520	For personal services of the commissioner, health council and office assistants, a sum not exceeding twenty thousand five hundred dollars, \$20,500 00

Item			
521	For services other than personal, including printing the annual report, traveling expenses, office supplies and equipment, a sum not exceeding ten thousand one hundred dollars, . . .	\$10,100 00	Department of Public Health. Division of Administration.
	Division of Hygiene:		
522	For personal services of the director and assistants, a sum not exceeding twenty-two thousand dollars, . . .	22,000 00	Division of Hygiene.
523	For services other than personal, traveling expenses, office supplies and equipment, a sum not exceeding twenty-two thousand dollars, . . .	22,000 00	
	Division of Communicable Diseases:		
524	For personal services of the director, district health officers and their assistants, epidemiologist, bacteriologist and assistants in the diagnostic laboratory, a sum not exceeding fifty-six thousand seven hundred and forty dollars, . . .	56,740 00	Division of Communicable Diseases.
525	For services other than personal, traveling expenses, laboratory, office and other necessary supplies, including the purchase of animals and equipment, and rent of certain offices, a sum not exceeding twenty-two thousand three hundred and fifty dollars, . . .	22,350 00	
	Division of Venereal Diseases:		
526	For personal services of the division, a sum not exceeding sixty-six hundred and seventy dollars, . . .	6,670 00	Division of Venereal Diseases.
527	For services other than personal, traveling expenses, office supplies and equipment, a sum not exceeding fifteen thousand dollars, . . .	15,000 00	
	Manufacture and Distribution of Arsphenamine:		
528	For personal services necessary for the manufacture of arsphenamine or other similar preparations, a sum not exceeding sixty-five hundred dollars, . . .	6,500 00	Manufacture and Distribution of Arsphenamine.
529	For the purchase of chemicals and other materials, including equipment and supplies necessary for the preparation and manufacture of arsphenamine, or its equivalent, a sum not exceeding forty-six hundred and sixty-six dollars, . . .	4,666 00	
	Wassermann Laboratory:		
530	For personal services of the Wassermann laboratory, a sum not exceeding sixty-one hundred dollars, . . .	6,100 00	Wassermann Laboratory.

	Item		
Wassermann Laboratory.	531	For expenses of the Wassermann laboratory, a sum not exceeding thirty-six hundred dollars,	\$3,600 00
(Appropriations made in items 526-531, inclusive, are to be in addition to the federal funds allotted to Massachusetts, amounting to thirty-three and one third per cent of the state's expenditures.)			
Antitoxin and Vaccine Lymph.	532	Antitoxin and Vaccine Lymph: For personal services in the investigation and production of antitoxin and vaccine lymph and other specific material for protective inoculation, diagnosis of treatment, a sum not exceeding twenty-eight thousand seven hundred and sixty dollars,	28,760 00
	533	For other services, supplies, materials and equipment necessary for the production of antitoxin and other materials as enumerated above, a sum not exceeding twenty-four thousand seven hundred dollars,	24,700 00
Inspection of Food and Drugs.	534	Inspection of Food and Drugs: For personal services of the director, analysts, inspectors and other assistants, a sum not exceeding twenty-nine thousand nine hundred and thirty dollars,	29,930 00
	535	For other services, including traveling expenses, supplies, material and equipment, a sum not exceeding eleven thousand dollars,	11,000 00
Water Supply and Disposal of Sewage. Engineering Division.	536	Water Supply and Disposal of Sewage: Engineering Division: For personal services of the director, engineers, clerks and other assistants, a sum not exceeding thirty-three thousand dollars,	33,000 00
	537	For other services, including traveling expenses, supplies, materials and equipment, a sum not exceeding sixty-eight hundred and fifty dollars,	6,850 00
Division of Laboratories.	538	Division of Laboratories: For personal services of laboratory director, chemists, clerks and other assistants, a sum not exceeding twenty-eight thousand dollars,	28,000 00
	539	For other services, including traveling expenses, supplies, materials and equipment, a sum not exceeding sixty-eight hundred and twenty-five dollars,	6,825 00

Item

State Examiners of Plumbers:

540	For personal and other services and necessary supplies and equipment for the state examiners of plumbers, a sum not exceeding forty-seven hundred dollars,	\$4,700 00	State Exam- iners of Plumbers.
Total,		\$369,991 00	

Division of Tuberculosis:

541	For personal services of the director, stenographers, clerks and other assistants, a sum not exceeding fourteen thousand six hundred and sixty dollars,	\$14,660 00	Division of Tuberculosis.
542	For services other than personal, including printing the annual report, traveling expenses and office supplies and equipment, a sum not exceeding twenty-seven hundred dollars,	2,700 00	
543	To cover the payment of certain subsidies for the maintenance of hospitals for tubercular patients, a sum not exceeding one hundred thirty-eight thousand dollars,	138,000 00	
Total,		\$155,360 00	

For the maintenance of the sanatoria, as follows:

544	For the Lakeville state sanatorium, a sum not exceeding two hundred nine thousand one hundred and thirty dollars,	\$209,130 00	Sanatoria, maintenance.
545	For the construction of a storehouse at the Lakeville state sanatorium, a sum not exceeding ten thousand dollars,	10,000 00	
546	For an addition to the barn at the Lakeville state sanatorium, a sum not exceeding eight thousand dollars,	8,000 00	
547	For the North Reading state sanatorium, a sum not exceeding one hundred sixty-seven thousand seven hundred and fifty dollars,	167,750 00	
548	For providing a system of fire protection at the North Reading state sanatorium, a sum not exceeding twenty-eight thousand dollars,	28,000 00	
549	For the Rutland state sanatorium, a sum not exceeding three hundred forty-four thousand three hundred dollars,	344,300 00	
550	For the Westfield state sanatorium, a sum not exceeding one hundred ninety thousand and fifty dollars,	190,050 00	
551	For the purchase of certain land for the Westfield state sanatorium, a sum not exceeding two thousand dollars,	2,000 00	

	Item		
Sanatoria, maintenance.	552	For additional fire protection at the Westfield state sanatorium, a sum not exceeding twelve hundred dollars,	\$1,200 00
		Total,	\$960,430 00
		Penikese Hospital:	
Penikese Hospital, maintenance.	553	For the maintenance of the Penikese hospital, including any necessary expense for preparation and transportation of the inmates to the United States hospital, and any other expenses incidental to the closing of Penikese hospital, a sum not exceeding fifteen thousand five hundred dollars,	\$15,500 00
		<i>Service of the Department of Public Safety.</i>	
		Administration:	
Department of Public Safety, Administration.	554	For the salary of the commissioner and for personal services of clerks and stenographers, a sum not exceeding thirty-two thousand dollars,	\$32,000 00
	555	For contingent services, including printing the annual report, rent of district offices, supplies and equipment, and all other things necessary for the investigation of fires and moving-picture licenses, as required by law, a sum not exceeding twenty-four thousand dollars,	24,000 00
		Division of State Police:	
Division of State Police.	556	For the salaries of officers, a sum not exceeding seventy thousand nine hundred and eighty dollars,	70,980 00
	557	For traveling expenses of the division, a sum not exceeding twenty-eight thousand dollars,	28,000 00
	558	For maintenance and operation of the police steamer "Lotis", a sum not exceeding sixty-five hundred dollars,	6,500 00
	559	For personal services, rent, supplies and equipment necessary in the enforcement of statutes relative to explosives and inflammable fluids and compounds, a sum not exceeding forty-five hundred dollars,	4,500 00
		Division of Inspection:	
Division of Inspection.	560	For the salary of the chief of inspections, a sum not exceeding thirty-six hundred dollars,	3,600 00
	561	For the salaries of officers for the building inspection service, a sum not exceeding forty-five thousand six hundred and forty dollars,	45,640 00
	562	For traveling expenses of officers for the building inspection service, a sum not exceeding twelve thousand dollars,	12,000 00

Item			
563	For the salaries of officers for the boiler inspection service, a sum not exceeding sixty-one thousand six hundred dollars,	\$61,600 00	Division of Inspection.
564	For traveling expenses of officers for the boiler inspection service, a sum not exceeding sixteen thousand dollars,	16,000 00	
565	For services, supplies and equipment necessary for investigations and inspections by the division, a sum not exceeding one thousand dollars,	1,000 00	
Board of Elevator Regulations:			
566	For compensation of the board of elevator regulations, a sum not exceeding six hundred dollars,	600 00	Board of Elevator Regulations.
567	For expenses of the board, a sum not exceeding three hundred dollars,	300 00	
Board of Boiler Rules:			
568	For personal services of members of the board, a sum not exceeding one thousand dollars,	1,000 00	Board of Boiler Rules.
569	For services other than personal and the necessary traveling expenses of the board, office supplies and equipment, a sum not exceeding six hundred dollars,	600 00	
Total,		\$308,320 00	
Fire Prevention District Service (the maintenance of this service, as provided in the following appropriations, is to be assessed upon certain cities and towns making up the fire prevention district, as provided by law):			
570	For the salary of the state fire marshal, a sum not exceeding thirty-six hundred dollars,	\$3,600 00	Fire Prevention District Service.
571	For other personal services, a sum not exceeding fifteen thousand eight hundred and seventy dollars,	15,870 00	
572	For other services, office rent and necessary office supplies and equipment, a sum not exceeding four thousand dollars,	4,000 00	
Total,		\$23,470 00	
State Boxing Commission:			
573	For compensation and clerical assistance for the state boxing commission, a sum not exceeding ten thousand six hundred and seventy dollars,	\$10,670 00	State Boxing Commission.

	Item	
State Boxing Commission.	574	For other expenses of the state boxing commission, a sum not exceeding sixteen thousand seven hundred and forty dollars, . . . \$16,740 00
	Total, \$27,410 00

Service of the Department of Public Works.

Department of Public Works.	575	For the salaries of the commissioner and the four associate commissioners, a sum not exceeding thirty-one thousand five hundred dollars, . . . \$31,500 00
	576	For personal services of clerks and assistants to the commissioner, a sum not exceeding twelve thousand eight hundred and fifty dollars, . . . 12,850 00
	576½	For traveling expenses of the commissioner, a sum not exceeding fifteen hundred dollars, . . . 1,500 00
	Total, \$45,850 00

Division of Highways (the following appropriations for the operation and maintenance of this division, except as otherwise provided, are made from the receipts in the Motor Vehicle Fees Fund):

Division of Highways.	577	For the personal services of the chief engineer, engineers and office assistants, including certain clerks and stenographers, a sum not exceeding forty-seven thousand five hundred dollars, . . . \$47,500 00
	578	For traveling expenses of the associate commissioners, when traveling in the discharge of their official duties, a sum not exceeding twenty-five hundred dollars, . . . 2,500 00
	579	For services other than personal, including printing the annual report and necessary office supplies and equipment, a sum not exceeding twelve thousand dollars, . . . 12,000 00
	580	For the care, repair and storage, replacement and purchase of road-building machinery and tools, a sum not exceeding three hundred thousand dollars, . . . 300,000 00
	581	For the suppression of gypsy and brown tail moths on state highways, a sum not exceeding fifteen thousand dollars, . . . 15,000 00
	582a	For the construction and repair of town and county ways, a sum not exceeding seven hundred thousand dollars, . . . 700,000 00
	582b	For aiding towns in the repair and improvement of public ways, a sum not exceeding four hundred thousand dollars, . . . 400,000 00

Item		Division of Highways.
582c	For the maintenance and repair of state highways, a sum not exceeding two million ten thousand five hundred dollars, of which sum three hundred sixty-seven thousand six hundred and ninety-seven dollars represents the receipts from assessments upon certain cities and towns for the maintenance of state highways, and the balance from receipts in the Motor Vehicle Fees Fund,	\$2,010,500 00
582d	For engineering service and expenses, a sum not exceeding two hundred thousand dollars,	200,000 00
583	For the maintenance and operation of the Newburyport bridge and the Brightman street bridge in Fall River, in accordance with the provisions of existing laws, a sum not exceeding twenty-nine thousand dollars,	29,000 00
	Total,	\$3,716,500 00
	Registration of Motor Vehicles:	
584	For personal services, a sum not exceeding three hundred thirty-two thousand five hundred dollars, from receipts in the Motor Vehicle Fees Fund,	\$332,500 00
585	For services other than personal, including traveling expenses, purchase of necessary supplies, equipment and materials, including cartage and storage of the same, and for work incidental to the registration and licensing of owners of motor vehicles, a sum not exceeding two hundred forty thousand dollars, from receipts in the Motor Vehicle Fees Fund,	240,000 00
	Total,	\$572,500 00
586	For the purpose of enabling the department of public works to secure federal aid for the construction of highways, a sum not exceeding one million dollars in addition to any other funds which the department has available for the purpose; of the said sum seven hundred fifty thousand dollars shall be payable from receipts in the Motor Vehicle Fees Fund, and the balance from receipts from counties for assessments on highways previously constructed, or from the general fund,	\$1,000,000 00
587	For the care of snow on highways, as provided by section nineteen of chapter eighty-one of the General Laws, a sum not exceeding fifty thousand dollars, from receipts in the Motor Vehicle Fees Fund,	\$50,000 00
		Care of snow on highways.

Advertising signs near highways.	Item		
	588	(This item omitted.)	
	588 ¹ ₂	For administering the law relative to advertising signs near highways, a sum not exceeding fifteen thousand dollars, to be paid from the general fund,	\$15,000 00
Division of Waterways and Public Lands.		Division of Waterways and Public Lands:	
	589	For personal services of the chief engineer and assistants, a sum not exceeding fifty-nine thousand dollars, from receipts in the Port of Boston Fund,	\$59,000 00
	590	For necessary traveling expenses of the associate commissioners, a sum not exceeding one thousand dollars,	1,000 00
	591	For services other than personal, including printing and binding the annual report, and for necessary office and engineering supplies and equipment, a sum not exceeding eight thousand dollars,	8,000 00
	592	For the care and maintenance of the Province lands, a sum not exceeding four thousand dollars,	4,000 00
	593	For the maintenance of structures, and for repairing damages along the coast line or river banks of the commonwealth, and for the removal of wrecks and other obstructions from tidewaters and great ponds, and for gauging of streams in co-operation with the federal government, a sum not exceeding twenty-five thousand dollars,	25,000 00
	594	For the improvement, development and protection of rivers and harbors, tidewaters and foreshores within the commonwealth, as provided by chapter two hundred and thirty-one of the General Acts of nineteen hundred and nineteen, and of great ponds, a sum not exceeding two hundred fifty thousand dollars,	250,000 00
	595	For re-establishing and permanently marking certain triangular points and sections as required by order of the land court, in accordance with section thirty-three of chapter ninety-one of the General Laws, a sum not exceeding one thousand dollars,	1,000 00
	596	(This item omitted.)	
	597	For the supervision and operation of commonwealth pier five, including the salaries or other compensation of employees, and for the repair and replacement of equipment and other property, a sum not exceeding eighty-nine thousand dollars, from receipts in the Port of Boston Fund,	89,000 00
	598	For the maintenance of pier one, at East Boston, a sum not exceeding fifteen thousand dollars, from receipts in the Port of Boston Fund,	15,000 00

Item		Division of Waterways and Public Lands.
599	For the maintenance and improvement of commonwealth property under the control of the division, a sum not exceeding fifty-five thousand dollars, from receipts in the Port of Boston Fund,	\$55,000 00
600	For the operation and maintenance of the New Bedford state pier, a sum not exceeding ten thousand dollars,	10,000 00
601	For the compensation of dumping inspectors, a sum not exceeding two thousand dollars, to be paid from the Waterways Fund,	2,000 00
601½	For the payment of money due contractors for work done and material furnished in the construction of the dry dock at South Boston and held by the commonwealth as retained percentages, the amount received from the federal government as the final payment in connection with the purchase of the dry dock and placed in the Port of Boston Fund, the sum of sixty thousand thirty-four dollars and twenty-two cents,	60,034 22
	Total,	\$579,034 22

The following appropriations for special improvements are to be made from the Port of Boston Fund:

602	For dredging and filling upon property of the commonwealth, a sum not exceeding three hundred seventy thousand dollars, the same to be in addition to any sum heretofore appropriated for the purpose,	\$370,000 00	Port of Boston Fund, special improvements.
603	For improvements of the commonwealth pier at East Boston, a sum not exceeding four thousand dollars,	4,000 00	
604	For dredging in and about minor channels in Boston harbor, a sum not exceeding eighty thousand dollars, the same to be in addition to any sum heretofore appropriated for the purpose,	80,000 00	
605	For the construction of a pier and the improvement of land and flats near Hayward's creek in the city of Quincy and the town of Braintree, a sum not exceeding one hundred sixty thousand dollars,	160,000 00	
606	For street and pier improvements and developments upon property of the commonwealth at South Boston, a sum not exceeding one hundred forty thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose,	140,000 00	
607	(This item omitted.)		
	Total,	\$754,000 00	

Service of the Department of Public Utilities.

Department of Public Utilities.	Item		
	608	For personal services of the commissioners, a sum not exceeding thirty-six thousand dollars, of which one half shall be assessed upon the gas and electric light companies in accordance with the provisions of law,	\$36,000 00
	609	For personal services of secretaries, employees of the accounting department, engineering department and rate and tariff department, a sum not exceeding thirty-eight thousand nine hundred dollars, of which sum ten thousand one hundred and five dollars shall be assessed upon the gas and electric light companies in accordance with the provisions of law,	88,900 00
	610	For the inspection department, personal services, a sum not exceeding thirty-two thousand eight hundred and twenty dollars,	32,820 00
	611	For personal services of clerks, messengers and office assistants, a sum not exceeding fifteen thousand and ten dollars, of which one half shall be assessed upon the gas and electric light companies in accordance with the provisions of law,	15,010 00
	612	For personal services of the telephone and telegraph department, a sum not exceeding eleven thousand three hundred and eighty dollars,	11,380 00
	613	For personal services of legal assistance and experts, a sum not exceeding three thousand dollars,	3,000 00
	614	For stenographic reports of hearings, a sum not exceeding fifteen hundred dollars,	1,500 00
	615	For traveling expenses of the commissioners and employees, a sum not exceeding five thousand dollars,	5,000 00
	616	For services other than personal, printing the annual report, office supplies and equipment, a sum not exceeding eight thousand dollars,	8,000 00
	617	For stenographic reports of evidence at inquests held in cases of death by accident on or about railroads, a sum not exceeding thirty-five hundred dollars,	3,500 00
		Total,	\$155,110 00

The following items are to be assessed upon the gas and electric light companies:

Items to be assessed upon gas and electric light com- panies.	618	(This item omitted.)	
	619	For personal services of the inspector of gas and gas meters, assistant inspectors and deputy inspectors of meters, a sum not exceeding sixteen thousand four hundred dollars,	\$16,400 00

Item		Items to be assessed upon gas and electric light companies.
620	For expenses of inspectors and deputies, including office rent, traveling and other necessary expenses of inspection, a sum not exceeding seven thousand dollars,	\$7,000 00
621	For services and expenses of expert assistants, as authorized by law, a sum not exceeding five thousand dollars,	5,000 00
622	For other services, printing the annual report, for rent of offices and for necessary office supplies and equipment, a sum not exceeding eighty-two hundred dollars,	8,200 00
623	For the examination and tests of electric meters, a sum not exceeding six hundred dollars,	600 00
Total,		\$37,200 00

624	For services and expenses in connection with the abatement of smoke in Boston and vicinity, under the direction and with the approval of the department of public utilities, a sum not exceeding eighty-four hundred dollars, the same to be assessed upon the cities and towns of the district named in section one of chapter six hundred and fifty-one of the acts of nineteen hundred and ten,	Smoke abatement in Boston and vicinity. \$8,400 00
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Miscellaneous.

625	For expenses incurred for the preparation of preliminary studies and estimates, as required by section nine of chapter twenty-nine of the General Laws, where no appropriation is made to carry out the improvement requested, a sum not exceeding fifteen thousand dollars,	Miscellaneous. \$15,000 00
626	For the maintenance of Bunker Hill monument and the property adjacent, to be expended by the metropolitan district commission, a sum not exceeding ten thousand dollars,	10,000 00
627	(This item omitted.)	
628a	For reimbursing the estate of Captain A. C. Williams for compensation and expenses on account of service in the year nineteen hundred and sixteen, the sum of one hundred seventy dollars and forty cents,	170 40
628b	For William H. Cann of Beverly for making repairs on a certain stable in Beverly occupied by F Battery, First Regiment, Massachusetts Field Artillery, in May and June, nineteen hundred and seventeen, the sum of two hundred fifteen dollars and two cents,	215 02
Total,		\$25,385 42

Metropolitan District Commission.

Item

The following items are to be assessed upon the several districts in accordance with the methods fixed by law, and to be expended under the direction and with the approval of the Metropolitan District Commission:

Metropolitan
District Com-
mission.

629	For maintenance of the Charles river basin, a sum not exceeding one hundred ninety-one thousand four hundred dollars,	\$191,400 00
629½	For expense of dredging certain canals, a sum not exceeding ten thousand dollars, same to be paid from the Charles River Maintenance Fund,	10,000 00
630a	For maintenance of park reservations, a sum not exceeding seven hundred eighteen thousand seven hundred dollars,	718,700 00
630b	For the expense of holding band concerts, a sum not exceeding twenty thousand dollars,	20,000 00
630c	For the construction of a combination sanitary and garage, a sum not exceeding twenty thousand dollars, to be paid from the Metropolitan Parks Maintenance Fund,	20,000 00
631	For maintenance of the Nantasket Beach reservation, a sum not exceeding seventy-one thousand dollars,	71,000 00
632	For maintenance of the Cambridge parkway, a sum not exceeding fifty-four thousand seven hundred dollars, same to be paid from the Metropolitan Parks Maintenance Fund,	54,700 00
633	For maintenance of the Wellington bridge, a sum not exceeding eleven thousand two hundred and fifty dollars, the same to be in addition to the amount appropriated from the general fund,	11,250 00
634	For maintenance of boulevards and parkways, a sum not exceeding two hundred twenty thousand four hundred and fifty dollars, the same to be in addition to the amount appropriated from the general fund,	220,450 00
634½	For improvements at Quincy shore, a sum not exceeding nine thousand dollars, in addition to the amount appropriated from the general fund, to be paid from Metropolitan Boulevards Maintenance Fund,	9,000 00
635	For the construction of a pumping station for the disposal of sewage for the town of Reading, a sum not exceeding forty thousand dollars, the same to be paid from Metropolitan Sewerage Maintenance Fund, North System,	40,000 00

Item		Metropolitan District Com- mission.
635½	For the maintenance and operation of a system of sewage disposal for the north metropolitan sewerage district, a sum not exceeding three hundred nineteen thousand eight hundred and forty-five dollars,	\$319,845 00
636	For the maintenance and operation of a system of sewage disposal for the south metropolitan sewerage district, a sum not exceeding one hundred ninety-four thousand six hundred and fifty dollars,	194,650 00
637	For the maintenance and operation of the metropolitan water system, a sum not exceeding eight hundred sixty-seven thousand nine hundred and sixty dollars,	867,960 00
	Total,	\$2,748,955 00

DEFICIENCIES.

For deficiencies in certain appropriations of previous years, in certain items, as follows: Deficiencies.

Legislative Department.

For expenses of the constitutional convention, the sum of forty-seven hundred thirty-two dollars and forty-four cents,	Legislative Department.	\$4,732 44
For expenses of a commission to investigate the question of prenatal and postnatal aid and care of mothers and children, the sum of six hundred eight dollars and twenty-nine cents,		608 29

Judicial Department.

Supreme Judicial Court:		
For office supplies, services and equipment of the supreme judicial court, the sum of ninety-nine dollars and forty-seven cents,	Judicial De- partment. Supreme Judicial Court.	99 47
Superior Court:		
For traveling allowances and expenses, the sum of eight hundred twenty-eight dollars and seventy-seven cents,	Superior Court.	828 77

District Attorneys:		
For traveling expenses necessarily incurred by the district attorneys, except in the Suffolk district, the sum of fifteen hundred seventy-four dollars and fifty-seven cents,	District Attor- neys.	1,574 57

Adjutant-General.

Item		
Adjutant-General.	For the maintenance of the state guard, including allowances and expenses for drills and training and for certain supplies, equipment, and the maintenance and operation thereof, the sum of twenty-two hundred thirty-six dollars and fifty-five cents,	\$2,236 55
	For service of the intelligence bureau, the sum of three hundred seven dollars and ninety-seven cents,	307 97

Chief Quartermaster.

Chief Quartermaster.	For the maintenance of armories of the first class, the sum of two hundred and twenty-nine dollars,	229 00
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Department of the Secretary of the Commonwealth.

Secretary of the Commonwealth.	For the purchase of paper used in the execution of the contract for the state printing, the sum of twenty-six thousand seven hundred eighty-eight dollars and twenty-five cents,	26,788 25
	For printing the pamphlet edition of the acts and resolves of the present year, the sum of forty-three dollars and twenty-three cents,	43 23
	For printing and binding the blue book edition of the acts and resolves of the present year, the sum of thirteen hundred sixty-two dollars and forty-nine cents,	1,362 49

Department of the Treasurer and Receiver-General.

Treasurer and Receiver-General.	For services other than personal, traveling expenses, office supplies and equipment, the sum of three hundred eighty-eight dollars and forty cents,	388 40
	For reimbursing officials for premiums paid for procuring sureties on their bonds, as provided by existing laws, the sum of thirty dollars,	30 00

Department of the Attorney-General.

Attorney-General.	For services other than personal, traveling expenses, office supplies and equipment, the sum of forty-five dollars and sixty-five cents,	45 65
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Department of Banking and Insurance.

Department of Banking and Insurance. Division of Banks and Loan Agencies.	Division of Banks and Loan Agencies:	
	For traveling and office expenses of the division of banks and loan agencies, the sum of one hundred thirty-seven dollars and forty cents,	137 40

Item

Division of Insurance:

For other services, including printing the annual report, traveling expenses and necessary office supplies and equipment, the sum of thirty-four hundred thirty-five dollars and eighty-four cents,	Division of Insurance.	\$3,435 84
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Department of Education.

For the reimbursement of certain towns for the transportation of pupils attending high schools outside the towns in which they reside, as provided by law, the sum of six hundred forty-seven dollars and sixty-one cents,	Department of Education.	647 61
For the reimbursement of certain towns for the payment of tuition of children attending high schools outside the towns in which they reside, as provided by law, the sum of one hundred twenty-four dollars and fifty cents,		124 50
For the maintenance of the Worcester normal school boarding hall, the sum of one hundred thirty-three dollars and ninety-two cents,		133 92
For maintenance of the school ship under the control of the commissioners of the Massachusetts nautical school, the sum of one hundred ninety-seven dollars and nine cents,		197 09

Massachusetts Agricultural College:

For maintenance and current expenses, the sum of fifty-five dollars and forty-four cents,	Massachusetts Agricultural College.	55 44
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Department of Civil Service and Registration.

Division of Civil Service:

For other services and for printing the annual report, and for office supplies and equipment, the sum of sixty-seven dollars and four cents,	Department of Civil Service and Registration.	67 04
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Department of Public Health.

For personal and other services and necessary supplies and equipment for the state examiners of plumbers, the sum of fifty-seven dollars and seventy-eight cents,	Department of Public Health.	57 78
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Department of Public Works.

Division of Highways:

For the care, repair and storage, replacement and purchase of road-building machinery and tools, the sum of forty-seven dollars and thirty-eight cents,	Department of Public Works. Division of Highways.	47 38
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Division of Highways.	Item		
	For the maintenance of state highways and the improvement and construction of town ways and certain through routes, in accordance with the provisions of existing laws, and for the payment of any claims for damages occurring on state highways, with the approval of the attorney-general, the sum of two hundred sixty-eight dollars and twenty-nine cents, . . .	\$268 29	
	For expenses on account of construction of state highways for the year 1917-1918, the sum of ninety-four dollars and forty-four cents, . . .	94 44	
Division of Waterways and Public Lands.	Division of Waterways and Public Lands:		
	For the maintenance and improvement of commonwealth property under the control of the division, the sum of forty-four hundred forty-one dollars and twenty cents,	4,441 20	
<i>Metropolitan District Commission.</i>			
Metropolitan District Commission.	For the maintenance and operation of a system of sewage disposal for the north metropolitan sewerage district, the sum of twenty-one hundred twenty-seven dollars and twenty-three cents,	2,127 23	
	For the maintenance and operation of a system of sewage disposal for the south metropolitan sewerage district, the sum of thirty-six hundred nine dollars and sixty-seven cents, . . .	3,609 67	
	Total,	\$54,719 91	
	General Fund,	\$38,773,807 01	
	Metropolitan District,	2,754,691 90	
	Grand Total,	\$41,528,498 91	

No payment to be made which exceeds allotment of expenditure made for certain purposes.

SECTION 3. No payment shall be made or obligation incurred under the authority of the appropriations made for construction of public buildings under this act in cases where the bid for contracts, proposed for acceptance, exceeds the allotment of expenditure upon which the appropriation is based.

Written approval of governor and council required for certain expenditures.

SECTION 4. No expenditures in excess of appropriations provided for under this act shall be incurred by any department or institution, except in cases of emergency, and then only upon the written approval of the governor and council having been first obtained.

SECTION 5. This act shall take effect upon its passage.

Approved March 31, 1921.

AN ACT RELATIVE TO THE METHOD OF ELECTION OF MEMBERS OF THE BOARD OF OVERSEERS OF HARVARD COLLEGE. Chap.204

Be it enacted, etc., as follows:

SECTION 1. The President and Fellows of Harvard College and the board of overseers of said college, acting separately at meetings called for the purpose, may from time to time, by concurrent vote, adopt rules and regulations fixing the method of voting for members of the board of overseers and the time and place or places when and where the annual election for members of said board of overseers shall be held, and determine the date or dates on which such rules and regulations shall be effective, after which date or dates so fixed such rules and regulations shall supersede any statutory provisions or rules or regulations with which they are in conflict; provided that nothing herein contained shall be construed to affect the eligibility of any person to be an overseer or to vote in any election of overseers or the method of determining such eligibility.

Board of Overseers of Harvard College, method of election.

Proviso.

SECTION 2. This act shall take effect when the board of overseers and the President and Fellows of Harvard College, respectively, at meetings held for that purpose, shall by vote assent to the same.

Time of taking effect.

Approved March 31, 1921.

AN ACT AUTHORIZING THE TOWN OF MEDFIELD TO SUPPLY ITSELF AND ITS INHABITANTS WITH WATER. Chap.205

Be it enacted, etc., as follows:

SECTION 1. The town of Medfield may supply itself and its inhabitants with water for the extinguishment of fires and for domestic and other purposes; may establish fountains and hydrants, relocate or discontinue the same, and may regulate the use of such water and fix and collect rates to be paid for the use of the same.

Town of Medfield may supply itself with water, etc.

SECTION 2. The said town, for the purposes aforesaid, may lease, take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, and hold, the waters, or any portion thereof, of any pond, brook or stream or of any ground water sources by means of driven or other wells or filter galleries, within the limits of said town, and the water rights and water sources connected therewith; provided that the amount of water which may be taken shall from time to time be determined

May acquire certain water sources, etc.

Proviso.

May take cer-
tain lands, etc.

Proviso.

May erect
structures, lay
pipes, etc.

by vote of the town; and also may take by eminent domain under said chapter, or acquire by purchase or otherwise, and hold, all lands, rights of way and easements necessary for collecting, storing, purifying and preserving such water and for conveying the same to any part of said town; provided that no source of water supply and no lands necessary for preserving the quality of the water shall be taken without first obtaining the advice and approval of the department of public health, and that the location of all dams, reservoirs, wells or filter galleries to be used as sources of water supply under this act shall be subject to the approval of said department. Said town may construct and may erect on the lands taken or held under the provisions of this act proper dams, reservoirs, buildings, standpipes, fixtures and other structures, and may make excavations, procure and operate machinery, and provide such other means and appliances and do such other things as may be necessary for the establishment and maintenance of complete and effective water works; and for that purpose may construct wells and reservoirs, establish pumping works and lay down and maintain conduits, pipes and other works, under or over any lands, water courses, railroads or public or private ways, and along any such way in said town in such manner as not unnecessarily to obstruct the same; and for the purpose of constructing, laying, maintaining, operating and repairing such conduits, pipes and other works, and for all other proper purposes of this act said town may dig up or raise and embank any such lands, highways or other ways in such manner as to cause the least hindrance to public travel thereon. Said town shall not enter upon, construct or lay any conduits, pipes or other works within the location of any railroad corporation except at such time and in such manner as it may agree upon with such corporation or in case of failure so to agree as may be approved by the department of public utilities.

Board of
water com-
missioners to
control.

Damages, how
determined.

Proviso.

SECTION 3. The land taken or acquired under this act shall be managed, improved and controlled by the board of water commissioners, hereinafter provided for, in such manner as they shall deem for the best interest of the town.

SECTION 4. Any person injured in his property by any action of the board under this act may recover damages from said town under said chapter seventy-nine; provided that the right to damages for the taking of any water or water right, or any injury thereto, shall not vest until the

water is actually withdrawn or diverted by said town under authority of this act.

SECTION 5. Said town may, for the purpose of paying the necessary expenses and liabilities incurred or to be incurred under the provisions of this act, issue from time to time bonds or notes to an amount not exceeding in the aggregate one hundred thousand dollars; such bonds or notes shall bear on their face the words, Town of Medfield Water Loan, Act of 1921, and shall be payable at the expiration of periods not exceeding thirty years from the date of issue. Except as otherwise provided in this act, chapter forty-four of the General Laws shall apply.

Town of
Medfield Water
Loan, Act of
1921.

SECTION 6. Said town shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with the provisions of section nineteen of said chapter forty-four in such manner that any loans issued under authority of this act shall be paid within the period above specified; and when a vote to that effect has been passed, a sum, which with the income derived from the water rates, will be sufficient to pay the annual expense of operating the water works or the purchasing of water and the maintenance of its pipe lines, as the case may be, and the interest as it accrues on the bonds or notes issued as aforesaid, and to make such payments on the principal as may be required under the provisions of this act, shall without further vote, be assessed by the assessors of the town annually thereafter, in the same manner as other taxes, until the debt incurred by the said loan or loans is extinguished.

Payment of
loan.

SECTION 7. The town may for the purposes aforesaid take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, the properties, rights, franchises and all other rights appurtenant to the business of water supply of the Medfield Water Company.

May acquire
rights, etc., of
the Medfield
Water Com-
pany.

SECTION 8. Whoever wilfully or wantonly corrupts, pollutes or diverts any of the waters taken or held under this act, or injures any structure, work or other property owned, held or used by said town under the authority and for the purposes of this act, shall forfeit and pay to said town three times the amount of damages assessed therefor, to be recovered in an action of tort; and upon conviction of any one of the above wilful or wanton acts shall be punished by a fine not exceeding three hundred dollars or by imprisonment not exceeding one year.

Penalty for
polluting water,
etc.

Board of water
commissioners,
election, term,
etc.

SECTION 9. The said town shall, after its acceptance of this act, at the same meeting at which the act is accepted or at a meeting called for the purpose, elect by ballot three persons to hold office, one until the expiration of three years, one until the expiration of two years, and one until the expiration of one year, from the next succeeding annual town meeting, to constitute a board of water commissioners; and at each annual town meeting thereafter one such commissioner shall be elected by ballot for the term of three years. All the authority granted to the town by this act and not otherwise specially provided for shall be vested in said board of water commissioners, who shall be subject however to such instructions, rules and regulations as said town may impose by its vote. A majority of said commissioners shall constitute a quorum for the transaction of business. Any vacancy occurring in said board from any cause may be filled for the remainder of the unexpired term by said town at any legal town meeting called for the purpose. Any such vacancy may be filled temporarily by a majority vote of the selectmen, and the person so appointed shall hold office until the town fills the vacancy in the manner specified herein.

Quorum.

Vacancies, how
filled.

To fix water
rates, etc.

SECTION 10. Said commissioners shall fix just and equitable prices and rates for the use of water, and shall prescribe the time and manner of payment. The income of the water works shall be applied to defraying all operating expenses, interest charges and payments on the principal as they accrue upon any bonds or notes issued under authority of this act. If there should be a net surplus remaining after providing for the aforesaid charges it shall be used for such new construction as the water commissioners may determine upon, and in case a surplus should remain after payment for such new construction the water rates shall be reduced proportionately. No money shall be expended in new construction by the water commissioners except from the net surplus aforesaid unless the town appropriates and provides money therefor. Said commissioners shall annually and as often as the town may require, render a report upon the condition of the works under their charge and an account of their doings, including an account of receipts and expenditures.

Net surplus,
how applied.

To make
annual report.

To be sub-
mitted to
voters, etc.

SECTION 11. This act shall take effect upon its acceptance by a majority of the voters of the town of Medfield present and voting thereon at a town meeting called for the

purpose within three years after its passage; but the number of meetings so called in any year shall not exceed three; and for the purpose of being submitted to the voters as aforesaid this act shall take effect upon its passage.

Approved March 31, 1921.

AN ACT AUTHORIZING THE DEPARTMENT OF AGRICULTURE
TO OFFER PRIZES FOR AND TO CONDUCT EXHIBITS OF
RABBITS AND HARES. Chap.206

Be it enacted, etc., as follows:

Section two of chapter one hundred and twenty-eight of the General Laws is hereby amended by striking out clause (f) and inserting in place thereof the following: — (f) Offer prizes for and conduct exhibits of flowers, fruit, vegetables, grasses, grains or other farm crops, dairy products, honey, horses, cattle, sheep, swine, poultry, poultry products, rabbits, hares, farm operations, and canned and dried fruits and vegetables.

G. L. 128, § 2,
amended.

Department of
agriculture:
certain powers
authorized.

Approved March 31, 1921.

AN ACT PROVIDING THAT REGISTERS OF DEEDS SHALL
NOTIFY THE COMMISSIONER OF CORPORATIONS AND TAXA-
TION OF THE REGISTERING OF CERTAIN DEEDS AND
DECLARATIONS OF TRUST. Chap.207

Be it enacted, etc., as follows:

Chapter thirty-six of the General Laws is hereby amended by inserting after section thirty-one the following new section: — *Section 31A.* Within sixty days after the recording of any deed in which the grantee is described as a trustee, or of any declaration of trust, the register in whose office such deed or declaration is recorded shall send by mail to the commissioner of corporations and taxation a notification of the recording thereof, stating the name of the grantor and of the grantee or the trustee, and the date of recording.

G. L. 36, new
section after
§ 31.

Registers of
deeds to notify
commissioner of
corporations
and taxation of
registration of
certain deeds,
etc.

Approved March 31, 1921.

AN ACT RELATIVE TO THE ELECTION OR APPOINTMENT OF
ASSISTANT ASSESSORS. Chap.208

Whereas, In order that the provisions of this act may apply to the assessment of taxes for the current year it must take effect at once, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

G. L. 41, new
section after
§ 24.

Election or
appointment of
assistant assess-
ors in cities.

Chapter forty-one of the General Laws is hereby amended by inserting after section twenty-four the following new section: — *Section 24A.* If in the case of any city there is no provision of law for the election or appointment of assistant assessors and, in the judgment of the assessors, assistant assessors are necessary, or if, in the judgment of the assessors, the provisions of law with regard to the election or appointment of assistant assessors in any city, or action taken thereunder, have not provided in any year for a sufficient number of assistant assessors, the mayor subject to confirmation by the city council, or the assessors, as the city council may determine, may appoint as assistant assessors such number of registered voters of the city as the appointing authority may deem necessary. Such appointments shall expire at the end of the calendar year in which they are made.

Approved April 1, 1921.

Chap. 209 AN ACT TO INCLUDE WOMEN VOTERS IN THE SAME VOTING LIST WITH MEN AND TO SIMPLIFY THE RETURNS OF REGISTRARS OF VOTERS.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. 51, § 36,
amended.

Records of
qualified voters
to be kept in
general register.

SECTION 1. Section thirty-six of chapter fifty-one of the General Laws is hereby amended by striking out, in the second line, the words “, male and female,” — so as to read as follows: — *Section 36.* They shall keep in general registers, records of all persons registered as qualified to vote in the city or town. They shall enter therein the name of every such voter written in full, or instead thereof the surname and first Christian name or that name by which he is generally known, written in full, and the initial of every other name which he may have, and also his age, place of birth and residence on April first preceding or at the time of becoming an inhabitant of the city or town after said day, the date of his registration and his residence at such date, his occupation and the place thereof, the name and location of the court which has issued to him letters of naturalization and the date thereof, if he is a naturalized citizen, and any

other particulars necessary to identify him fully. Except in Boston, the general registers shall have uniform headings in substantially the following form, and blank books suitable for the purpose shall be provided at cost by the state secretary to registrars applying therefor:

Boston
excepted, etc.

When Registered.	Name.	Signature of Applicant.	Residence April 1, or Subsequent Date.	Age.	Place of Birth.	Occupation.	Place of Occupation.	Minutes of Naturalization, Court issuing Letters and Date of Naturalization.	Residence at Date of Registration.	Remarks.

Form.

SECTION 2. Section thirty-seven of said chapter fifty-one is hereby amended by striking out, in the ninth line, the words "man or woman", and inserting in place thereof the word:— person, — so as to read as follows:— *Section 37.* The registrars, after April first, shall prepare an annual register containing the names of all qualified voters in their city or town for the current year, beginning with said day. Such names shall be arranged in alphabetical order, and, opposite to the name of each voter, his residence on April first preceding or on any subsequent day when he became an inhabitant of the city or town. The registrars shall enter in the annual register every name contained in the lists transmitted to them by the assessors under section five, which they can identify as that of a person whose name was borne on the voting list of the city or town at the last preceding election or town meeting, giving the residence of each such person on April first, which, in the case of a person assessed a poll tax, shall be the place at which he was so assessed. They shall make all inquiries and investigations necessary to identify such person, and they shall not enter in the annual register the name of a person objected to by any registrar until such person has been duly notified and given an opportunity to be heard. They shall forthwith enter in the annual register the name of every person whose qualifications as a voter have been determined by them in the current year and whose name has accordingly been

G. L. 51, § 37,
amended.

Annual register,
entries, ar-
rangement, etc.

Identification,
etc.

Notice to voter of preceding year of omission of name from annual register.

Exceptions.

G. L. 51, § 55, amended.

Voting lists, contents, arrangement, etc.

G. L. 51, § 61, amended.

Returns of assessed polls, registered voters, etc.

Registrars to certify to certain city clerks, etc.

G. L. 54, § 105, 2d par., amended.

entered in the general register. They shall, on or before the first Monday of August in each year, send notice in writing by mail to each voter of the preceding year whose name has not been entered in the annual register of the current year that his or her name has not been so entered. This section shall not apply to Boston, Cambridge, Chelsea or Watertown.

SECTION 3. Section fifty-five of said chapter fifty-one is hereby amended by striking out, in the sixth line, the word "shall", and inserting in place thereof the word: — may, — so as to read as follows: — *Section 55.* Registrars shall, from the names entered in the annual register of voters, prepare voting lists for use at elections. In such voting lists they shall place the names of all voters entered on the annual register, and no others, and opposite to the name of each his residence on April first preceding or at the time of his becoming an inhabitant of such place after said day. They may enter the names of women voters in separate columns or lists. In cities, they shall prepare such voting lists by wards, and if a ward or a town is divided into voting precincts, they shall prepare the same by precincts, in alphabetical order, or by streets. Names shall be added thereto or taken therefrom as persons are found to be qualified or not qualified to vote.

SECTION 4. Said chapter fifty-one is hereby further amended by striking out section sixty-one and inserting in place thereof the following: — *Section 61.* They shall forthwith, after the final day for registration before a biennial state or regular city or town election, certify to the state secretary the number of assessed polls, the number of registered voters in the city or town, and in each ward and precinct therein, and the number of persons entitled to vote for a part only of the whole number of officers to be chosen at a state election in such city or town and in each ward and precinct therein, with the titles of the officers for whom such persons are entitled to vote.

In cities where the city clerk is not a member of the board of registrars, the registrars shall likewise, after the last day for registration for a city election, certify to the city clerk the number of registered voters in the city, and in each ward and voting precinct therein.

SECTION 5. Section one hundred and five of chapter fifty-four of the General Laws is hereby amended by striking out, in the twenty-first line, the words "male and female",

— so that the second paragraph will read as follows: — The clerk in open meeting shall publicly announce the result of the vote and enter in his records, in words at length, the total number of names of voters checked on the voting lists, the total number of ballots cast, the names of all persons voted for, the number of votes for each person and the title of the office for which he was a candidate, the number of blank ballots for each office, and the number of affirmative and negative votes in answer to any question submitted to the voters, and shall forthwith make a copy of such record, certify and seal up the same, and deliver it to the city or town clerk, who shall forthwith enter it in his records.

Announcement of result of vote, etc.

Certification to city or town clerk.

SECTION 6. Section one hundred and thirty-two of said chapter fifty-four is hereby amended by striking out, in the third line, the words “male and of female”, so as to read as follows: — *Section 132.* The city or town clerk shall, within fifteen days after an election of state, city or town officers, certify to the state secretary the total number of names of voters checked on the voting list at such election in each voting precinct or town, and a duplicate copy thereof sealed, to be by him transmitted to the governor and council; and the committee of the council tabulating the returns of votes shall include in their report thereon the number of ballots cast in a district wherein a question is submitted to the voters and a return thereon is made to the state secretary.

G. L. 54, § 132, amended.

Number of names checked to be certified to state secretary.

Tabulation by council.

SECTION 7. Section one hundred and thirty-three of said chapter fifty-four is hereby amended by striking out, in the third line, the words “male and female”, and also by striking out, in the fifth line, the words “, male and female,”, so as to read as follows: — *Section 133.* The state secretary shall before February first of each year report to the general court the number of assessed polls and the number of registered voters in each city and town at the date of the last preceding state, and city or town election, as the case may be, and the total number of persons who voted at each such election in every city and town, and in every voting precinct therein, and, in the year following a state election, the number of votes received by each candidate for nomination and for election for a state office, and for election for a state committee, arranged by cities, towns and districts, and a concise statement of other matters relating to elections, with such suggestions as he deems advisable.

G. L. 54, § 133, amended.

State secretary to report number of assessed polls, registered voters, etc.

Approved April 1, 1921.

Chap.210 AN ACT AUTHORIZING THE CITY OF REVERE TO BORROW OUTSIDE THE DEBT LIMIT FOR THE CONSTRUCTION OF BROADWAY.

Be it enacted, etc., as follows:

Revere Broad-
way Construc-
tion Loan,
Act of 1921.

SECTION 1. For the purpose of constructing Broadway in the city of Revere, including the laying and re-laying of water mains and sewers in said street at the time of construction, the city of Revere may from time to time borrow such sums as may be necessary not exceeding, in the aggregate, two hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Revere Broadway Construction Loan, Act of 1921. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than ten years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall otherwise be subject to chapter forty-four of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved April 1, 1921.

Chap.211 AN ACT AUTHORIZING LOANS UPON PAID-UP SHARES ISSUED BY CO-OPERATIVE BANKS.

Be it enacted, etc., as follows:

G. L. 170, § 27,
amended.

Co-operative
banks, loans
on shares.

Section twenty-seven of chapter one hundred and seventy of the General Laws is hereby amended by inserting after the word "matured", in the fifth line, the words: — or paid-up, — so as to read as follows: — *Section 27.* Loans may be made upon unpledged shares to an amount not exceeding ninety per cent of their withdrawal value at the time of the loan, and for every such loan a note shall be given, accompanied by a transfer and pledge of the shares borrowed upon. Loans may be made upon matured or paid-up shares to an amount not exceeding ninety per cent of their face value, as represented by the certificate. For every such loan a note shall be given accompanied by a transfer of the certificate as collateral for the loan. *Approved April 1, 1921.*

AN ACT AUTHORIZING THE CITY OF BROCKTON TO PENSION *Chap.212*
WILLIAM ELLERY BIRD.

Be it enacted, etc., as follows:

SECTION 1. The city of Brockton may pay to William Ellery Bird, a former permanent member of the fire department in said city, who was seriously injured while in the performance of his duty and is now incapacitated from performing any work, an annual pension not exceeding the sum of five hundred dollars payable in weekly instalments.

City of
Brockton may
pension William
Ellery Bird.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided that such acceptance occurs prior to December thirty-first in the current year.

To be sub-
mitted to city
council, etc.
Proviso.

Approved April 1, 1921.

AN ACT RELATIVE TO THE VALUATION OF POLICIES OF LIFE *Chap.213*
INSURANCE.

Be it enacted, etc., as follows:

SECTION 1. Section nine of chapter one hundred and seventy-five of the General Laws is hereby amended by adding at the end thereof the following new paragraph: — The commissioner may, in place of the computation of the reserve liability of a foreign life company required by the preceding provisions of this section, accept the certificate of valuation of the official having supervision over insurance companies in the state where such company is incorporated; provided that such valuation is made in accordance with the rules set forth in said provisions or produces values at least as great as if made in accordance therewith.

G. L. 175, § 9,
amended.

Valuation of
policies of life
insurance.

Proviso.

SECTION 2. This act shall take effect on January first, nineteen hundred and twenty-two.

When act takes
effect.

Approved April 1, 1921.

AN ACT RELATIVE TO THE SETTLEMENT OF ACCOUNTS FOR *Chap.214*
THE TUITION OF STATE AND CITY WARDS.

Be it enacted, etc., as follows:

Section ten of chapter seventy-six of the General Laws is hereby amended by striking out, in the third line, the word "April", and inserting in place thereof the word: — July, — so as to read as follows: — *Section 10.* Settlements of the accounts of the several towns under the three preceding

G. L. 76, § 10,
amended.

Settlement of
accounts for
the tuition of

state and city
wards.

sections with the commonwealth and with Boston shall be made annually on July first, and the amounts found due shall be paid within three months thereafter.

Approved April 1, 1921.

Chap.215 AN ACT AUTHORIZING THE ORGANIZATION OF CORPORATIONS
TO WRITE INSURANCE IN FOREIGN COUNTRIES.

Be it enacted, etc., as follows:

G. L. 175, § 47,
new clause
added.

SECTION 1. Section forty-seven of chapter one hundred and seventy-five of the General Laws is hereby amended by adding at the end thereof the following new clause:—*Fourteenth*, To transact outside of the territorial limits of the United States any and all forms of insurance.

Corporations to
write insurance
in foreign
countries.

G. L. 175, § 48,
new para-
graph.

SECTION 2. Section forty-eight of said chapter one hundred and seventy-five is hereby amended by inserting after the paragraph included within lines nineteen to twenty-two, inclusive, the following new paragraph:— Under the fourteenth clause not less than five hundred thousand dollars.

Amount of
capital stock.

G. L. 175, § 63,
new clause
after cl. 7.

SECTION 3. Section sixty-three of said chapter one hundred and seventy-five is hereby amended by inserting after clause seven the following new clause:— 7(a). In the capital stock of companies organized under the fourteenth clause of section forty-seven; provided that the above specified proportionate part of the reserve of any domestic stock or mutual life company shall not be invested in such capital stock.

Investment of
capital and
reserve.

Proviso.

Approved April 1, 1921.

Chap.216 AN ACT AUTHORIZING THE TOWN OF DARTMOUTH TO MAKE
AN ADDITIONAL WATER LOAN.

Be it enacted, etc., as follows:

Dartmouth
Water Loan,
Act of 1921.

SECTION 1. For the purpose of extending its water mains and improving its water distribution system, the town of Dartmouth may from time to time borrow such sums as may be necessary, not exceeding, in the aggregate, fifty thousand dollars in addition to the amount previously authorized, and may issue bonds or notes therefor, which shall bear on their face the words, Dartmouth Water Loan, Act of 1921. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than thirty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall otherwise be subject to chapter forty-four of the General Laws.

SECTION 2. The town shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with section one; and when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid, and to make such payments on the principal as may be required by this act, shall, without further vote, be assessed by the assessors of the town annually thereafter, in the same manner as other taxes, until the debt incurred by said loan or loans is extinguished.

Payment of loan.

SECTION 3. This act shall take effect upon its passage.

Approved April 4, 1921.

AN ACT AUTHORIZING THE TOWN OF LONGMEADOW TO INCUR INDEBTEDNESS FOR ADDITIONAL SCHOOL ACCOMMODATIONS.

Chap. 217

Be it enacted, etc., as follows:

SECTION 1. For the purpose of acquiring land for and the construction of a school building, and of originally equipping and furnishing the same, the town of Longmeadow may from time to time borrow such sums as may be necessary not exceeding, in the aggregate, one hundred and seventy-five thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Longmeadow School Loan, Act of 1921. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall otherwise be subject to chapter forty-four of the General Laws.

Longmeadow School Loan, Act of 1921.

SECTION 2. This act shall take effect upon its passage.

Approved April 4, 1921.

AN ACT AUTHORIZING THE CITY OF NEW BEDFORD TO INCUR INDEBTEDNESS FOR SCHOOLHOUSE PURPOSES.

Chap. 218

Be it enacted, etc., as follows:

SECTION 1. For the purpose of purchasing land and constructing thereon one or more schoolhouses and for furnishing the same, the city of New Bedford may from time to time borrow such sums as may be necessary, not exceeding, in the aggregate, three hundred and fifty thousand dollars,

New Bedford School Loan, Act of 1921.

and may issue bonds or notes therefor which shall bear on their face the words, New Bedford School Loan, Act of 1921. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall otherwise be subject to chapter forty-four of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved April 4, 1921.

Chap.219 AN ACT AUTHORIZING THE CITY OF SPRINGFIELD TO INCUR INDEBTEDNESS TO EXTEND CERTAIN STREETS.

Be it enacted, etc., as follows:

Taylor and
Stafford Streets
Extension
Loans, City of
Springfield, Act
of 1921.

SECTION 1. For the purposes of laying out and extending Taylor street and establishing the grade thereof and of laying out and extending Stafford street and establishing the grade thereof, the city of Springfield may from time to time borrow such sums as may be necessary, not exceeding, in the aggregate, two hundred and fifty thousand dollars, and may issue bonds therefor which shall bear on their face the words, Taylor and Stafford Streets Extension Loan, City of Springfield, Act of 1921. Each authorized issue shall constitute a separate loan and such loan shall be payable in not more than ten years from its date. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall otherwise be subject to chapter forty-four of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved April 4, 1921.

Chap.220 AN ACT RELATIVE TO THE DIVISION OF CITIES INTO VOTING PRECINCTS.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. 54, § 2,
amended.

SECTION 1. Section two of chapter fifty-four of the General Laws is hereby amended by striking out, in the third, eighth, twelfth and thirteenth lines, the words "one thousand", and inserting in place thereof in each instance the words: — two thousand, — by inserting after the word

“annual”, in the ninth line, the words: — or biennial, — and also by inserting after the word “ward”, in the eleventh line, the words: — or precinct, — so as to read as follows: —

Section 2. Each city shall be divided into convenient voting precincts, designated by numbers or letters and containing not more than two thousand voters. Every ward shall constitute a voting precinct by itself, or shall be divided into precincts containing as nearly as may be an equal number of voters, consisting of compact and contiguous territory entirely within the ward, and bounded, so far as possible, by the center line of known streets or ways or by other well defined limits. If a ward constituting one precinct contains more than two thousand voters, according to the registration at the preceding annual or biennial city election, the aldermen, on or before the first Monday of July, shall divide it into two or more voting precincts. They may so divide a ward or precinct containing less than two thousand voters. If in any year, according to such registration, a voting precinct contains more than two thousand voters, the aldermen shall in like manner either divide such precinct into two or more voting precincts or make a new division of the ward into voting precincts.

Division of cities into voting precincts, etc.

SECTION 2. Such of the provisions of section two hundred and seventeen of chapter eight hundred and thirty-five of the acts of nineteen hundred and thirteen, as amended by chapter seventy-four of the General Acts of nineteen hundred and eighteen and by chapter six hundred and thirty-six of the acts of nineteen hundred and twenty, as apply to the city of Boston, shall continue so to apply; but all other provisions thereof are hereby repealed.

So much of certain statutes as apply to Boston continued; all other provisions thereof repealed.

Approved April 4, 1921.

AN ACT RELATIVE TO FEES TO BE CHARGED FOR CERTIFICATES OF JOURNEYMEN ELECTRICIANS AND FOR RENEWALS THEREOF.

Chap. 221

Be it enacted, etc., as follows:

SECTION 1. Section three of chapter one hundred and forty-one of the General Laws is hereby amended by striking out clause (3) and inserting in place thereof the following: — (3) Persons desiring an examination shall make written application therefor, accompanied by the proper fee, which shall be twenty-five dollars for “Certificate A” and five dollars for “Certificate B”. An applicant failing in his

G. L. 141, § 3, cl. 3, amended.

Fees charged for examination of journeymen electricians, etc. Re-examination.

examination shall not have his fee returned to him, but shall be entitled to one free re-examination. For each subsequent re-examination for "Certificate A", he shall pay fifteen dollars and for "Certificate B", one dollar.

G. L. 141, § 3,
cl. 5, amended.

Fee for re-
newal of "Cer-
tificate B."

When act takes
effect.

SECTION 2. Clause (5) of said section three is hereby amended by striking out, in the second line, the words "fifty cents", and inserting in place thereof the words:— one dollar, — so as to read as follows:— (5) Each "Certificate B" shall expire on July thirty-first in each year, but may be renewed upon payment of a fee of one dollar, and upon the same conditions set forth in the preceding paragraph.

SECTION 3. This act shall take effect December first in the current year.

Approved April 4, 1921.

Chap. 222 AN ACT TO ALLOW STATE AND MILITARY AID TO MEN WHO SERVED IN THE PHILIPPINE INSURRECTION OR THE CHINA RELIEF EXPEDITION.

Be it enacted, etc., as follows:

G. L. 115, § 6,
amended.

Certain soldiers
and sailors to be
allowed state
and military
aid.

Proviso.

SECTION 1. Section six of chapter one hundred and fifteen of the General Laws is hereby amended by inserting after line forty-six the following new paragraph:— Soldiers or sailors who served in the army, navy, or marine corps of the United States in the Philippine Insurrection or the China Relief Expedition, provided they were residents of and actually residing in the commonwealth at the time of their enlistment or appointment in the service, having been appointed or having enlisted in the army, navy or marine corps after August twelfth, eighteen hundred and ninety-eight, and prior to July fourth, nineteen hundred and two, and who have been honorably discharged therefrom.

G. L. 115, § 6,
amended.

State aid for
Spanish and
other war serv-
ice.

SECTION 2. Section six of said chapter one hundred and fifteen is hereby further amended by adding after the word "Spain", in the seventy-fifth line, the words:— the Philippine Insurrection or the China Relief Expedition, — and also by inserting after the word "war", in the seventy-eighth line, the words:— , the Philippine Insurrection or the China Relief Expedition, — so that the paragraph contained in lines seventy-four to seventy-nine, inclusive, will read as follows:— The widows and widowed mothers of soldiers or sailors who served in the war with Spain, the Philippine Insurrection or the China Relief Expedition dying in such service or dying after their honorable discharge therefrom, or dying while in receipt of a pension from the United States

or of state aid from the commonwealth, and the wife and widowed mother of any invalid pensioner of the Spanish war, the Philippine Insurrection or the China Relief Expedition service;

SECTION 3. Section seven of said chapter one hundred and fifteen is hereby amended by inserting after the word "Spain", in the third line, the words: — the Philippine Insurrection or the China Relief Expedition, — so as to read as follows: — *Section 7.* The wife of a discharged soldier or sailor shall not be held to belong to any of the foregoing classes, nor shall she receive state aid unless, if the service of the soldier or sailor was in the war with Spain, the Philippine Insurrection or the China Relief Expedition, she was married to him before his final discharge from such service, and, if his widow, before April eleventh, nineteen hundred and five, and if his service was in the civil war unless she was, if his wife, married to him prior to his final discharge from such service, and, if his widow, prior to June twenty-seventh, eighteen hundred and ninety, and if the service of the soldier or sailor was on the Mexican border or in the world war unless she was married to him prior to his final discharge from the service or release from active duty therein, and, if his widow, prior to July first, nineteen hundred and nineteen.

G. L. 115, § 7,
amended.

Restrictions as
to wife or
widow on
allowances of
state aid.

SECTION 4. Section ten of said chapter one hundred and fifteen is hereby amended by inserting after the word "wars", in the twelfth line, the words: — the Philippine Insurrection, the China Relief Expedition, — so that the second paragraph will read as follows: — *First Class.* Each person of the first class shall have his settlement in the town aiding him; shall have served as a soldier, sailor or nurse in the manner and under the limitations prescribed in the first class of section six; shall have been honorably discharged or released from active duty in such United States service and from all appointments and enlistments therein; shall be poor and indigent and, by reason of sickness or other physical disability, in such need as would entitle him to relief under the pauper laws; shall not be, directly or indirectly, in receipt of any other state or military aid, or of any pension for services rendered or disabilities incurred either in the civil or Spanish wars, the Philippine Insurrection, the China Relief Expedition, Mexican border service or world war service as defined in section six. The disability must have arisen from causes independent of his military or naval service aforesaid.

G. L. 115, § 10,
second para-
graph
amended.

Military
aid, etc
First class
qualifications.

Approved April 4, 1921.

Chap.223 AN ACT AUTHORIZING THE EASTERN MASSACHUSETTS STREET RAILWAY COMPANY TO TAKE LAND FOR TRANSMISSION LINE PURPOSES.

Be it enacted, etc., as follows:

1918, 188 (S),
§ 20, amended.

Eastern
Massachusetts
Street Railway
Company may
take land for
transmission
line purposes.

Section twenty of chapter one hundred and eighty-eight of the Special Acts of nineteen hundred and eighteen is hereby amended by adding at the end thereof the following new paragraph:— The new company for the purpose of constructing, using and maintaining transmission lines for the purchase, sale or disposal of electricity for light and power purposes only, shall have the same rights as electric companies under section seventy-two of chapter one hundred and sixty-four of the General Laws to take land for such purposes and in respect to any such taking shall be subject to the provisions of said section. *Approved April 4, 1921.*

Chap.224 AN ACT RELATIVE TO RESTRICTIONS ON THE TAKING OF PICKEREL.

Be it enacted, etc., as follows:

Restrictions on
the taking of
pickerel.

Whoever, on or before the first day of April, in the year nineteen hundred and twenty-three, takes from the waters of the commonwealth a pickerel less than twelve inches in length, or sells or offers for sale, or has in possession any such pickerel, shall be punished by a fine of one dollar for each pickerel so taken, held in possession, sold or offered for sale; and in prosecutions under this act the possession of pickerel less than twelve inches in length shall be prima facie evidence of such unlawful taking. *Approved April 4, 1921.*

Chap.225 AN ACT RELATIVE TO THE PAYMENT INTO THE TREASURY OF CERTAIN STATE RECEIPTS.

Be it enacted, etc., as follows:

G. L. 30, § 27,
amended.

Certain state
receipts to be
paid daily, etc.,
into the state
treasury.

Chapter thirty of the General Laws is hereby amended by striking out section twenty-seven and inserting in place thereof the following:— *Section 27.* Except as otherwise expressly provided, all fees or other money received on account of the commonwealth shall be paid daily into the treasury thereof, but if in the opinion of the supervisor and the state treasurer the interests of the commonwealth re-

quire, payments may be made weekly in accordance with such rules and regulations as the state treasurer may prescribe.
Approved April 4, 1921.

AN ACT REPEALING CERTAIN PROVISIONS OF LAW RELATIVE TO POLL TAXES. *Chap.226*

Be it enacted, etc., as follows:

Chapter forty-nine of the General Acts of nineteen hundred and eighteen, as amended by chapter nine of the General Acts of nineteen hundred and nineteen, is hereby repealed. *Repeal.*
Approved April 4, 1921.

AN ACT AUTHORIZING CITIES AND TOWNS TO PROVIDE QUARTERS FOR CAMPS OF THE UNITED SPANISH WAR VETERANS. *Chap.227*

Whereas, The deferred operation of this act would in part defeat its purpose to enable cities and towns to provide quarters for camps of Spanish War Veterans, like authority having already been granted to make similar provision for organizations of veterans of other wars, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience. *Emergency preamble.*

Be it enacted, etc., as follows:

Chapter forty of the General Laws is hereby amended by inserting after section nine the following new section: — *G. L. 40, new section after § 9.*
Section 9A. A city or town may, for the purpose of providing suitable headquarters for a camp of the United Spanish War Veterans, lease for a period not exceeding five years a building or part of a building, which shall be under the direction and control of such camp subject to regulations made in cities by the mayor with the approval of the council and in towns by vote of the town, and for such purpose may annually appropriate a sum not exceeding, in any one year, one fiftieth of one per cent of its valuation. *Cities and towns to provide quarters for camps of the United Spanish War Veterans.*

(The foregoing was laid before the governor on the twenty-eighth day of March, 1921, and after five days it had "the force of a law", as prescribed by the constitution, as it was not returned by him with his objections thereto within that time.)

Chap.228 AN ACT PROVIDING FOR BIENNIAL MUNICIPAL ELECTIONS IN
THE CITY OF REVERE.

Be it enacted, etc., as follows:

Municipal
elections in
Revere to take
place bienn-
nially, etc.

SECTION 1. Beginning with the year nineteen hundred and twenty-two, the municipal election in the city of Revere shall take place biennially in every even numbered year on the second Tuesday of December, and each municipal year shall begin on the first Monday of January and continue until the first Monday of the following January, and the term of office of the mayor, subject to re-election or recall as provided by law, of the city clerk, collector of taxes, city treasurer, councilmen at large and councilmen by wards, shall be two years from the first Monday in January following their election and until their successors are elected and qualified.

Assessors,
terms of
election, etc.

SECTION 2. At each biennial election in said city an assessor or assessors shall be elected for terms of four years from the first Monday of the following January, to fill vacancies then occurring. Assessors shall continue to serve until their successors have qualified. The term of office of the assessor elected in nineteen hundred and twenty is hereby extended to the first Monday in January, nineteen hundred and twenty-five, and his successor shall be elected at the biennial election in December, nineteen hundred and twenty-four.

School com-
mittee, terms of
election, etc.

SECTION 3. At each biennial election in said city, members of the school committee shall be elected for terms of four years from the first Monday of the following January, to fill vacancies then occurring. The members shall continue to serve until their successors have qualified. The term of office of the members of the school committee elected in nineteen hundred and twenty is hereby extended to the first Monday in January, nineteen hundred and twenty-five, and their successors shall be elected at the biennial election in December, nineteen hundred and twenty-four.

Question on
granting certain
licenses to be
voted on
biennially.

SECTION 4. A vote on the question of granting licenses for the sale of certain non-intoxicating beverages as required by chapter one hundred and thirty-eight of the General Laws, or by any other general provision of law, as long as said laws shall be in effect, shall beginning with the year nineteen hundred and twenty-two, be taken biennially in the city of Revere, at the biennial election herein provided for.

Approved April 4, 1921.

AN ACT RELATIVE TO THE INVESTMENT BY SAVINGS BANKS *Chap.229*
IN THE BONDS OF GAS, ELECTRIC AND WATER COM-
PANIES.

Be it enacted, etc., as follows:

Section fifty-four of chapter one hundred and sixty-eight of the General Laws is hereby amended by striking out, in the four hundred and eighty-fifth and four hundred and eighty-sixth lines, the words "or renewing of such loan", and inserting in place thereof the words: — of such investment, — and by striking out, in the four hundred and eighty-eighth and four hundred and eighty-ninth lines, the words "or renewing of the loan", and inserting in place thereof the words: — of the investment, — so that the sixth clause will read as follows: — *Sixth.* In the bonds of a gas, electric or water company secured by a first mortgage of the franchise and property of the company; provided, that the net earnings of the company, after payment of all operating expenses, taxes and interest, as reported to, and according to the requirements of, the proper authorities of the commonwealth, have been in each of the three fiscal years preceding the making of such investment equal to not less than four per cent on all its capital stock outstanding in each of said years; and, provided, that the gross earnings of the company in the fiscal year preceding the making of the investment have been not less than one hundred thousand dollars.

G. L. 168, § 54,
sixth clause,
amended.

Investment by
savings banks
in the bonds of
gas, electric
and water
companies.
Provisos.

Approved April 4, 1921.

AN ACT RELATIVE TO THE ISSUE OF COUPON NOTES BY *Chap.230*
GAS, ELECTRIC, WATER, TELEPHONE AND TELEGRAPH
COMPANIES.

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and sixty-four of the General Laws is hereby amended by striking out section fourteen and inserting in place thereof the following: — *Section 14.* Gas and electric companies shall issue only such amount of stock and bonds, and of coupon notes and other evidences of indebtedness payable at periods of more than three years after the date thereof, as the department may from time to time vote is reasonably necessary for the purpose for which such issue of stock, bonds, coupon notes or other evidences of indebtedness has been authorized. The depart-

G. L. 164, § 14,
amended.

Issue of stock,
bonds and
coupon notes
by gas, electric;
water, tele-
phone and
telegraph com-
panies.

ment may take into consideration any resources of the companies available or which might have been available for said purpose. The department shall render a decision upon an application for such issue within thirty days after the final hearing thereon. The decision shall be in writing, shall assign the reasons therefor, shall, if approving such issue, specify the respective amounts of stock, bonds, coupon notes or other evidences of indebtedness which are approved to be issued for the respective purposes to which the proceeds thereof are to be applied, and shall, within seven days after it has been rendered, be filed in the office of the department. A certificate of the vote of the department shall, within three days after such decision has been rendered and before the stock, bonds, coupon notes or other evidences of indebtedness are issued, be filed in the office of the state secretary, and a duplicate thereof delivered to the corporation, which shall enter the same upon its records. A company subject to this section shall not apply the proceeds of such stock, bonds, coupon notes or other evidences of indebtedness to any purpose not specified in such certificate. No application for the approval of an issue of stock shall be made unless authorized by vote of the incorporators, if an original issue, or of the stockholders if an increase of stock, passed not more than four months prior to such application; but a vote of the stockholders to increase the capital stock may be passed before or after the decision of the department.

Certificate of department's vote to be filed with state secretary, etc.

G. L. 166, § 4, amended.

Issue of stock, bonds and coupon notes by telephone and telegraph companies.

SECTION 2. Chapter one hundred and sixty-six of the General Laws is hereby amended by striking out section four and inserting in place thereof the following: — *Section*

4. Such company shall issue only such amount of stock and bonds, and of coupon notes and other evidences of indebtedness payable at periods of more than three years, as the department of public utilities may from time to time approve as reasonably necessary for the purpose for which such issue of stock, bonds, coupon notes or other evidences of indebtedness has been authorized. Said department shall on an application for such issue, within thirty days after the final hearing thereon, render a written decision assigning the reasons therefor, and, if approving such issue, specifying the respective amounts of stock, bonds, coupon notes or other evidences of indebtedness approved for the respective purposes to which the proceeds thereof are to be applied. The decision shall within seven days after it has been rendered,

Certificate of department's decision to be

be filed in the office of the department and a certificate of said decision shall, within three days after rendition and before the stock, bonds, coupon notes or other evidences of indebtedness as aforesaid are issued, be filed in the office of the state secretary, and a duplicate thereof delivered to the corporation which shall enter the same upon its records. Such corporation shall not apply the proceeds of such stock, bonds, coupon notes or other evidences of indebtedness as aforesaid to any purpose not specified in such certificate.

filed with state secretary, etc.

Approved April 4, 1921.

AN ACT AUTHORIZING THE CITY OF SPRINGFIELD TO INCUR INDEBTEDNESS TO EXTEND CERTAIN STREETS. Chap. 231

Be it enacted, etc., as follows:

SECTION 1. For the purposes specified by chapter five hundred and sixty-two of the acts of nineteen hundred and thirteen, the city of Springfield may from time to time borrow such sums as may be necessary not exceeding, in the aggregate, two hundred thousand dollars in addition to the amounts heretofore authorized, and may issue bonds or notes therefor, which shall bear on their face the words, Springfield Dwight and Water Streets Railroad Underpass Loan, Act of 1921. Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than ten years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall otherwise be subject to chapter forty-four of the General Laws.

Springfield Dwight and Water Streets Railroad Underpass Loan, Act of 1921.

SECTION 2. This act shall take effect upon its passage.

Approved April 5, 1921.

AN ACT AUTHORIZING THE CITY OF NEW BEDFORD TO INCUR INDEBTEDNESS FOR COMPLETING THE DUPLICATION AND EXTENSION OF A PRINCIPAL DIRECT WATER MAIN. Chap. 232

Be it enacted, etc., as follows:

SECTION 1. For the purpose of completing the duplication and extension of a principal direct water main, the city of New Bedford may from time to time borrow such sums as may be necessary not exceeding, in the aggregate, seven hundred thousand dollars in addition to the amount previously authorized, and may issue bonds or notes therefor which shall bear on their face the words, New Bedford Water Loan, Act of 1921. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more

New Bedford Water Loan, Act of 1921.

than thirty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall otherwise be subject to chapter forty-four of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved April 5, 1921.

Chap. 233 AN ACT MAKING IT UNNECESSARY TO RECORD CERTAIN ASSIGNMENTS AFFECTING THE TITLE TO PERSONAL PROPERTY.

Be it enacted, etc., as follows:

G. L. 255, § 1,
amended.

Mortgages of
personal prop-
erty to be
recorded, etc.

Certain assign-
ments affecting
the title to per-
sonal property
need not be
recorded, etc.

Section one of chapter two hundred and fifty-five of the General Laws is hereby amended by inserting after the word "security", in the fourteenth line, the following: —, but shall not apply to assignments which transfer the title of a lessor or conditional vendor to a lease or other instrument containing a conditional sale agreement and to the personal property therein described, — so as to read as follows: —

Section 1. Mortgages of personal property shall, within fifteen days from the date written in the mortgage, be recorded on the records of the town where the mortgagor resides when the mortgage is made, and on the records of the town where he then principally transacts his business. If the mortgagor resides out of the commonwealth, and the property mortgaged is within the commonwealth when the mortgage is made, the mortgage shall be recorded on the records of the town where the property then is. If a record in two different places is required and the mortgage is recorded in one within said fifteen days, it may be recorded in the other within ten days after the date of the first record. The mortgage shall not be valid against a person other than the parties thereto until so recorded; and a record made subsequently to the time limited shall be void. This section shall apply to bills of sale given for security, but shall not apply to assignments which transfer the title of a lessor or conditional vendor to a lease or other instrument containing a conditional sale agreement and to the personal property therein described. If the condition for redemption of the property included in such bill of sale is in writing, it shall be recorded with and as a part of the bill of sale; if the condition for redemption is oral, a written statement of such condition signed by the mortgagee shall be so recorded.

Approved April 5, 1921.

AN ACT RELATIVE TO APPROPRIATIONS FOR SCHOOL PURPOSES IN THE CITY OF LYNN. *Chap. 234*

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and seventy-eight of the acts of nineteen hundred and nine, as amended by section one of chapter two hundred and ninety of the Special Acts of nineteen hundred and sixteen, by section one of chapter one hundred and seventy-six of the Special Acts of nineteen hundred and nineteen, and by chapter two hundred and eighty-nine of the acts of nineteen hundred and twenty, and as affected by section thirty of chapter forty-four of the General Laws, is hereby further amended by striking out section one and inserting in place thereof the following: —

Section 1. The school committee of the city of Lynn shall, on or before the first day of February in the year nineteen hundred and twenty-two and in each year thereafter, by vote of a majority of all its members taken by yeas and nays, make appropriations for the support of the public schools of said city for the financial year, including repairs and alterations of school buildings and any pensions payable by law to school teachers. The appropriations shall be made by items specifying the purposes for which the money is to be expended, and shall not exceed in the aggregate for the financial year ending on the thirty-first day of December in said year nineteen hundred and twenty-two, and in each year thereafter, the sum of six dollars and fifty cents upon each one thousand dollars of the valuation of the taxable property in said city, as ascertained under the provisions of law relative to the rate of taxation in said city. Any vote or appropriation requiring a larger assessment than as above specified shall be void, and said committee shall have no authority to incur any liability or make any expenditures in excess of the said appropriation, anything in any statute to the contrary notwithstanding, except as provided in section thirty of chapter forty-four of the General Laws and section eighteen of chapter fifty-eight of the General Laws; provided that when the needs of the school department require an expenditure of money in excess of the above mentioned appropriation, the school committee, by vote of a majority of all its members taken by yeas and nays, may appropriate for the above-named purposes, subject to the approval of the mayor, additional sums up to but not exceeding nine dollars

1909, 178, § 1,
etc., amended.

Appropriations
for school
purposes in
Lynn.

To be made by
items, etc.

Certain votes,
etc., when void.

Proviso.

Municipal council may not increase appropriations, except, etc.

Powers of school committee.

and fifty cents upon each one thousand dollars of the valuation of the taxable property in the city. The municipal council of the said city shall not have authority to increase said appropriations as above fixed, except for permanent schoolhouse improvements or repairs thereto. The school committee shall, in addition to the amounts aforesaid, have the power to expend such amounts as may be received from the commonwealth under the provisions of sections one to seven, inclusive, of chapter seventy of the General Laws, from tuition charges, the sale of text books and from other miscellaneous sources, and also any amounts received by the said city, as insurance for the destruction in part of school buildings or furnishings and books, which last named amounts shall in all cases be expended for specific repair or restoration of the property on account of which they are received.

To be submitted to voters, etc.

SECTION 2. This act shall be submitted to the voters of the city of Lynn at the annual municipal election in the current year in the form of the following question to be placed upon the official ballot: "Shall the act relative to appropriations for school purposes in the city of Lynn be amended so that the amount raised by taxation for the support of the public schools of the city, when the needs of the department demand and the mayor approves, shall range from six dollars and fifty cents to nine dollars and fifty cents for each one thousand dollars of taxable valuation, instead of from six dollars and fifty cents to seven dollars and fifty cents as at present?" And if a majority of the voters voting thereon shall vote in the affirmative, this act shall thereupon take effect.

Approved April 5, 1921.

Chap. 235 AN ACT ESTABLISHING THE SALARY OF THE MESSENGER IN THE OFFICE OF THE DISTRICT ATTORNEY FOR THE SUFFOLK DISTRICT.

Be it enacted, etc., as follows:

G. L. 12, § 19, amended.

SECTION 1. Section nineteen of chapter twelve of the General Laws is hereby amended by striking out, in the second and third lines, the word "fourteen", and inserting in place thereof the word: — sixteen, — so as to read as follows: — *Section 19.* The district attorney for the Suffolk district may appoint a messenger, whose annual compensation shall not exceed sixteen hundred dollars, and, with the approval of the chief justice of the superior court, such stenographers, telephone operators and other office assistants

District attorney for the Suffolk district, messenger, etc., and other assistants.

as in his opinion the interests of the commonwealth require, whose compensation shall be fixed by said district attorney with like approval. The compensation of any person appointed hereunder shall be paid by Suffolk county, and any such person may be removed by said district attorney at his pleasure.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of the city of Boston, subject to the provisions of its charter; provided that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to city council of Boston. Proviso.

Approved April 5, 1921.

AN ACT PROVIDING FOR AN ADDITIONAL ASSISTANT CLERK OF THE SUPERIOR COURT FOR CIVIL BUSINESS IN THE COUNTY OF SUFFOLK.

Chap. 236

Be it enacted, etc., as follows:

Section six of chapter two hundred and twenty-one of the General Laws is hereby amended by striking out, in the second line, the word "thirteen", and inserting in place thereof the word: — fourteen, — so as to read as follows: —
Section 6. The justices of the superior court may appoint, for a term of three years from the date of their appointment, fourteen assistant clerks of said court for civil business in the county of Suffolk, one of whom shall perform the duties of clerk pertaining to the equity proceedings in said court.

G. L. 221, § 6, amended.

Superior court for civil business in Suffolk county, assistant clerks, appointment, etc.

Approved April 5, 1921.

AN ACT TO PROVIDE FOR THE RECONSTRUCTION OF FLOATING BRIDGE IN THE CITY OF LYNN.

Chap. 237

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the county of Essex, subject to all general laws applicable thereto, are hereby authorized to reconstruct Floating bridge, so-called, over Glenmere pond on the Salem and Boston turnpike in the city of Lynn, together with the approaches thereto.

Floating bridge in Lynn, reconstruction.

SECTION 2. The cost and expense incurred under this act shall not exceed the sum of one hundred and fifty thousand dollars, and shall be paid, in the first instance, by the county of Essex. The said commissioners may borrow by a temporary loan or loans on the credit of the county such sums, not exceeding the said amount, as may from time to time be required for the cost and expense aforesaid, and may

Essex county commissioners may borrow money to meet cost and expense.

renew the same for such periods as may be necessary. All amounts so borrowed shall be deposited in the treasury of the county, and the treasurer shall pay out the same as ordered by the county commissioners, and shall keep a separate and accurate account of all moneys borrowed and expended under the provisions of this act, including interest. Upon the completion of the bridge, the county commissioners shall file in the office of the clerk of courts for the county a detailed statement, certified under their hands, of the actual cost of its construction, and they shall give notice to the city of Lynn and assess upon the said city a sum equal to forty per cent of the said cost, and the said city shall pay into the treasury of the county the amount so assessed within sixty days after it is notified by the county that the foregoing provisions of this act have been complied with; and if the city refuses or neglects to pay the amount assessed, the commissioners shall, after due notice, issue a warrant against the city for its proportion, with interest and the cost of the notice and warrant, and the same shall be collected and paid into the treasury of the county, to be applied in payment of the expense aforesaid.

Statement of actual cost of bridge to be filed with clerk of courts, etc., and notice to the city of Lynn.

County of Essex, Floating Bridge Loan, Act of 1921.

SECTION 3. For the purpose of paying the sixty per cent of the said total cost which is to be borne by the county of Essex, the county treasurer, with the approval of the county commissioners, may borrow from time to time such sums as may be necessary not exceeding, in the aggregate, ninety thousand dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words, County of Essex, Floating Bridge Loan, Act of 1921, and shall be payable by such annual payments, beginning not more than one year after the date thereof, as will extinguish each loan within ten years from its date, and the amount of such annual payment in any year shall not be less than the amount of the principal of the loan payable in any subsequent year. Each authorized issue shall constitute a separate loan. The city of Lynn for the purpose of meeting its part of the cost of said bridge may borrow from time to time such sums as may be necessary not exceeding, in the aggregate, sixty thousand dollars and may issue bonds or notes therefor, which shall bear on their face the words, City of Lynn, Floating Bridge Loan, Act of 1921. Each authorized issue shall constitute a separate loan and shall be payable within ten years from its date. Indebtedness incurred by said city under this act shall be in excess of the statutory limit, but

City of Lynn, Floating Bridge Loan, Act of 1921.

shall otherwise be subject to chapter forty-four of the General Laws. The said county and city may sell the said securities at public or private sale upon such terms and conditions as they may severally deem proper, but not for less than their par value, and the proceeds of the loan issued by the county shall be used only to pay temporary loans issued in accordance with the provisions of section two or for the construction of said bridge, and the proceeds of the securities issued by said city shall be paid into the county treasury, to be applied to payment of securities issued by the county in accordance with section two.

SECTION 4. The county commissioners may purchase, or take by eminent domain, under chapter seventy-nine of the General Laws, such lands, rights and easements as may be required to carry out the purposes of this act. They shall proceed with the construction of said bridge whenever in their judgment it will best serve the public interest.

Lands, etc.,
may be
acquired.

Construction of
bridge, when.

SECTION 5. Chapter fifty-seven of the General Acts of nineteen hundred and seventeen, chapter two hundred and fifty-six of the General Acts of nineteen hundred and eighteen and chapter five hundred and eighty-nine of the acts of nineteen hundred and twenty are hereby repealed; but such repeal shall not affect the validity of any action heretofore taken or securities issued under said chapters, or of any expenditures or assessments made or to be made by said county commissioners on account of work already done thereunder, or of any payments made or to be made by said city of Lynn in consequence thereof.

Repeals, etc.

SECTION 6. This act shall take effect upon its passage.

Approved April 6, 1921.

AN ACT TO EXEMPT CERTAIN EMPLOYEES IN THE DEPARTMENT OF CONSERVATION FROM THE CIVIL SERVICE RULES AND REGULATIONS.

Chap. 238

Whereas, The deferred operation of this act would substantially impede the work of the department of conservation in the development of state forests, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

Section thirty-three of chapter one hundred and thirty-two of the General Laws is hereby amended by adding at the

G. L. 132, § 33,
amended.

Certain employees in department of conservation exempt from civil service.

end thereof the following: — The forester may employ temporarily such persons as foresters, assistant foresters, engineers, surveyors, forest fire observers and foremen as he deems necessary to assist him in carrying out his duties under this section, and the employment of such persons shall not be subject to chapter thirty-one. *Approved April 6, 1921.*

Chap.239 AN ACT ESTABLISHING A BOARD OF ELECTION COMMISSIONERS IN THE CITY OF CAMBRIDGE.

Be it enacted, etc., as follows:

Cambridge board of registrars of voters abolished and board of election commissioners established.

SECTION 1. The board of registrars of voters of the city of Cambridge is hereby abolished. All the powers, rights, liabilities and duties of said board of registrars, either under general or special law, except as otherwise provided, are hereby transferred to and shall hereafter be exercised by a board of election commissioners hereby established in said city, hereinafter called the board, which shall be the lawful successor of said registrars. Immediately upon the qualification of the members of the board as hereinafter provided, the said registrars shall deliver to the board all books, papers, records, and all other equipment, furniture and paraphernalia in their possession.

Number of persons to comprise the board, salary, etc.

SECTION 2. The board shall always consist of four persons, two chosen, as provided in section three, from each of the two leading political parties as defined in section one of chapter fifty of the General Laws. They shall each receive an annual salary of two thousand dollars or such other salary as the mayor and city council may by ordinance prescribe. The city council shall provide the board with suitable office room and equipment.

Board of election commissioners, how constituted, terms of office, etc.

SECTION 3. The members of the board of registrars of voters in office in the city of Cambridge at the time of the passage of this act shall constitute a board of election commissioners, and shall serve until the expiration of their respective terms and until their successors are appointed and qualified. As the terms of the several election commissioners expire, and in case a vacancy occurs in said board, the mayor shall so appoint their successors that the members of the board shall, as equally as may be, represent the two leading political parties, and in no case shall an appointment be so made as to cause a board to have more than two members of the same political party. No appointment to said board need be confirmed by the city council.

City council need not confirm appointments.

SECTION 4. The board shall organize annually in the month of April by the choice of a chairman and secretary. In case the members are unable to agree upon a chairman and a secretary, such officers shall be designated by the mayor. The secretary shall keep a full and accurate record of the proceedings of the board, and shall cause such notices as the board may require to be properly served or posted.

Organization of board, etc.

SECTION 5. Said board shall in all matters relating to objections and questions arising in the case of nominations of candidates for city offices have the power and perform the duties of the board of registrars and the city clerk and city solicitor under section twelve of chapter fifty-three of the General Laws; and when the board is sitting to consider such matters, the justice of the third district court of eastern Middlesex, or in case of his disability an associate justice of said court, shall be a member of the said board and shall preside, but shall not vote unless the other commissioners are equally divided.

Board to have powers, etc., of certain city officials.

When justice of the third district court of eastern Middlesex shall be member of board.

SECTION 6. All the powers, rights, privileges, liabilities and duties relating to primaries or elections by law vested in and imposed upon the mayor and aldermen or either of them, the city clerk or the board of registrars of voters in cities, except the power and duty of giving notice of elections and fixing the days and hours of holding the same, shall in the city of Cambridge be vested in and performed by the board of election commissioners, who shall be subject to all penalties prescribed by general law for failure to perform the said duties.

Powers, etc., of mayor and aldermen, etc. to be vested in the board, etc.

SECTION 7. The board may appoint such assistant commissioners and such other clerical assistants as it deems necessary, who shall at all times equally represent the two leading political parties, as defined as aforesaid.

Board may appoint certain assistants, etc.

SECTION 8. Chapter two hundred and eighty-two of the General Acts of nineteen hundred and eighteen is hereby amended by striking out section eight and inserting in place thereof the following: — *Section 8.* There is hereby established in the city of Cambridge a listing board composed of the chief of police of the city and the board of election commissioners ex officio.

1918, 282 (G), § 8, amended.

Listing board established.

SECTION 9. Sections twelve, thirteen and fourteen of said chapter two hundred and eighty-two, as amended, are hereby further amended by striking out the words "board of assessors", wherever they occur and inserting in place thereof the words: — board of election commissioners.

1918, 282 (G), §§ 12, 13 and 14, etc., amended.

Listing board to furnish board of assessors with certain information.

Act not to abridge certain duties of the assessors.

SECTION 10. For the purpose of assessing poll taxes, the listing board of said city shall furnish the board of assessors with copies of the lists made for the use of the election commissioners under the provisions of sections nine, ten and eleven of said chapter two hundred and eighty-two, as amended, and the board of assessors shall use such copies in assessing poll taxes, and shall not be required to make the lists provided for by section four of chapter fifty-one of the General Laws. The election commissioners shall also certify to the board of assessors the names of all persons resident in Cambridge on the first day of April, subsequently placed on such lists in accordance with the provisions of section twelve of said chapter two hundred and eighty-two, as amended, and the assessors may use such additional names in assessing poll taxes. Nothing in this act shall be construed to abridge the powers and duties of the assessors in the assessment, collection and abatement of poll taxes, except as herein provided.

SECTION 11. This act shall take effect upon its passage.

Approved April 7, 1921.

Chap. 240 AN ACT AUTHORIZING THE TOWN OF METHUEN TO EXTEND CERTAIN REVENUE LOANS.

Be it enacted, etc., as follows:

Methuen authorized to extend certain revenue loans.

SECTION 1. The town of Methuen may refund or extend from time to time for a period not exceeding two years from the date of the passage of this act revenue loans issued on account of the revenue of the year nineteen hundred and twenty and now outstanding, to an amount not exceeding one hundred and fifty thousand dollars, the same to be outside the statutory limit of indebtedness. None of the uncollected taxes of the year nineteen hundred and twenty and prior years shall be appropriated for any purpose other than accounts payable of such years or for meeting deficits on account of abatements granted by the assessors, but there shall be raised by the assessors in the years nineteen hundred and twenty-one and nineteen hundred and twenty-two a sufficient sum which, together with the receipts on account of the revenues of the year nineteen hundred and twenty and previous years, will meet the refunding loan herein authorized.

SECTION 2. This act shall take effect upon its passage.

Approved April 7, 1921.

AN ACT TO PROVIDE FOR PRECINCT VOTING, REPRESENTATIVE TOWN MEETINGS, TOWN MEETING MEMBERS, A REFERENDUM AND AN ANNUAL MODERATOR IN THE TOWN OF METHUEN. Chap. 241

Be it enacted, etc., as follows:

SECTION 1. Upon the acceptance of this act by the town of Methuen, as hereinafter provided, the selectmen of the town shall forthwith divide the territory thereof into not less than five nor more than nine voting precincts, each of which shall be plainly designated, and shall contain not less than six hundred nor more than three thousand voters. The precincts shall be so established as to consist of compact and contiguous territory, to be bounded, as far as possible, by the middle line of known streets and ways or by other well-defined limits. Their boundaries shall be reviewed and, if need be, wholly or partly revised by the selectmen, in January, once in five years, or in January of any year when so directed by a vote of the town meeting. The selectmen shall, within ten days after any establishment or revision of the precincts, file a report of their doings with the town clerk, the registrars of voters and the assessors, with a map or maps or description of the precincts and the names and residences of the registered voters therein. The selectmen shall also cause to be posted in the town hall a map or maps or description of the precincts as established or revised from time to time, with the names and residences of the voters therein; and they shall also cause to be posted in at least one public place in each precinct a map or description of that precinct with the names and residences of the voters therein. The division of the town into voting precincts and any revision of such precincts shall take effect upon the date of the filing of the report thereof by the selectmen with the town clerk. Whenever the precincts are established or revised, the town clerk shall forthwith give written notice thereof to the secretary of the commonwealth, stating the number and designation of the precincts. Meetings of the voters of the several precincts for elections, for primaries, and for voting upon any question to be submitted to all the voters of the town, shall be held on the same day and at the same hour, and at such place or places within the town as the selectmen shall in the warrant for such meeting direct. The provisions of the General Laws, relating to precinct

Precinct voting, representative town meetings, etc., in town of Methuen.

Selectmen to report doings, etc.

Division of town into voting precincts, date of taking effect, etc.

voting at elections, so far as the same are not inconsistent with this act, shall apply to all elections and primaries in the town upon the establishment of voting precincts as hereinbefore provided.

Town meeting members, election, etc.

SECTION 2. The registered voters in every precinct shall, at a special election to be held on April thirtieth next ensuing after the acceptance of this act and after the establishment of the said precincts, and at the first annual town election following any precinct revision and conformably to the laws relative to elections not inconsistent with this act, elect by ballot the largest number of registered voters thereof which is divisible by three and which will not exceed two per cent of the voters in the precinct. The first third, in order of votes received, of members so elected shall serve until three years, the second third in such order shall serve until two years, and the remaining third in such order shall serve until one year, from the first Monday of March, nineteen hundred and twenty-one; in case of a tie vote affecting the division into thirds as aforesaid, the members elected from the precinct shall by ballot determine the same; and thereafter, except as otherwise provided herein, at each annual town election the registered voters of each precinct shall, in like manner, elect the largest number which shall not exceed two thirds of one per cent of their number to be town meeting members of the town for the term of three years, and shall at such election fill for the unexpired term or terms any vacancy or vacancies then existing in the number of town meeting members in their respective precincts. The town clerk shall, after every election of town meeting members, forthwith notify each member by mail of his election. The number of town meeting members to be elected in any year from each precinct shall be based on the number of registered voters in the precinct as of the first day of January prior to the election. Upon every revision of the precincts, or of any of them, the terms of office of all town meeting members from every such revised precinct shall cease upon the election of their successors, and at the first ensuing annual town election there shall be an entirely new election of town meeting members in every precinct so revised, as well as in any new precinct or precincts established.

Notice of election to members.

New election of town meeting members, when, etc.

Town meetings limited to certain elected members and members at large.

SECTION 3. Any representative town meeting held under the provisions of this act, except as otherwise provided herein, shall be limited to the voters elected under section two together with the following, designated as town meeting

members at large; namely, any member of the general court of the commonwealth from the town, the moderator, the town clerk, the selectmen, the town treasurer, the chairman of the school committee and the chairman of the trustees of the Nevins' Memorial. The town clerk shall notify the town meeting members of the time and place at which representative town meetings are to be held, the notices to be sent by mail at least seven days before the meeting. The town meeting members as aforesaid shall be the judges of the election and qualification of their members. A majority of the town meeting members shall constitute a quorum for doing business; but a less number may organize temporarily and may adjourn from time to time. Notice of every adjourned town meeting shall be posted by the town clerk in ten or more public places in the town, and he shall notify by mail the members of the town meeting of the adjournment at least twenty-four hours before the time of the adjourned town meeting. The notices shall state briefly the business to be acted upon at the meeting, and shall include notice of any proposed reconsideration. All town meetings shall be public. The town meeting members as such shall receive no compensation. Subject to such conditions as may be determined from time to time by the members of the representative town meeting, any voter of the town who is not a town meeting member may speak at any representative town meeting, but he shall not vote. A town meeting member may resign by filing a written resignation with the town clerk, and such resignation shall take effect on the date of such filing. A town meeting member who removes from the town shall cease to be a town meeting member and a town meeting member who removes from one precinct to another or is so removed by a revision of precincts shall not retain membership after the next annual election.

Notice of town meetings.

Quorum.

Notice of adjourned town meetings to be posted, etc.

Town meetings to be public, etc.

Resignations, etc.

SECTION 4. Nomination of candidates for town meeting members to be elected under this act shall be made by nomination papers which shall bear no political designation and shall be signed by not less than twenty-five voters of the precinct in which the candidate resides and filed with the town clerk at least ten days before the election; provided that any town meeting member may become a candidate for re-election by giving written notice thereof to the town clerk at least twenty days before such election. No nomination paper shall be valid in respect to any candidate whose written acceptance is not thereon or attached thereto.

Nominations, how made.

Proviso.

Warrant articles, how acted upon, etc.

SECTION 5. The articles in the warrant for every town meeting, so far as they relate to the election of the moderator, town officers, and town meeting members, as hereinbefore provided, to granting licenses for the sale of certain non-intoxicating beverages, to referenda and all matters to be acted upon and determined by ballot, shall be so acted upon and determined by the voters of the town in their respective precinct meetings. All other articles in the warrant for any town meeting shall be acted upon and determined exclusively by town meeting members at a meeting to be held at such time and place as shall be set forth by the selectmen in the warrant for the meeting, subject to the referendum provided for by section eight.

Moderator, election, etc.

SECTION 6. A moderator shall be elected by ballot at each annual town meeting and shall serve as the moderator of all town meetings, except as otherwise provided by law, until his successor is elected and qualified. Nominations for moderator and his election shall be as in the case of other elective town officers, and any vacancy in the office may be filled by the town meeting members at a meeting held for that purpose. If the moderator is absent a moderator pro tempore may be elected by the town meeting members.

Vacancies, how filled, etc.

SECTION 7. Any vacancy in the full number of town meeting members from any precinct may be filled until the next annual election by the remaining members of the precinct from among the registered voters thereof. Upon petition therefor, signed by not less than ten town meeting members from the precinct, notices of the vacancy shall promptly be given by the town clerk to the remaining members from the precinct in which the vacancy or vacancies exist, and he shall call a special meeting of such members for the purpose of filling any vacancy. He shall cause to be mailed to every such member, not less than seven days before the time set for the meeting, a notice specifying the object, time and place of the meeting. At the said meeting a majority of the members shall constitute a quorum, and they shall elect from their own number a chairman and a clerk.

Notice of meeting, etc.

Choice to be by ballot, etc.

The choice to fill any vacancy shall be by ballot and a majority of the votes cast shall be required for a choice. The chairman and clerk shall make a certificate of the choice and forthwith file the same with the town clerk, together with a written acceptance by the member or members so chosen, who shall thereupon be deemed elected and qualified as a town meeting member or members subject to the right of all

the town meeting members to judge of the election and qualification of members as set forth in section three.

SECTION 8. A vote passed at a representative town meeting authorizing an expenditure of twenty thousand dollars or more for a special purpose shall not become operative until after the expiration of a period of five days exclusive of Sundays and holidays from the day of the dissolution of such meeting. If, within the said period of five days, a petition is addressed to and filed with the selectmen, and is signed by not less than fifty registered voters of each precinct containing their Christian names together with their street addresses, as they appear on the list of registered voters, asking that the question or questions involved in such vote be submitted to the voters at large of the town, the selectmen and the moderator shall, within fourteen days after the filing of the said petition, frame and present the question or questions so involved to a special town meeting of the voters at large of the town to be held for that purpose, at which meeting the ballot and the check lists shall be used in the respective precincts, and such question or questions shall be determined by a majority vote or otherwise as required by law. The question so submitted shall be stated upon the ballot in the same language and form as when presented to the representative town meeting by the moderator, and as they appear upon the records of the said meeting. If the petition be not filed within the said period of five days the vote in the representative town meeting shall become operative upon the expiration of the said period.

Votes making appropriations, when to become operative.

Referendum.

Question, how stated upon ballot, etc.

SECTION 9. The town of Methuen, after the acceptance of this act, shall have the capacity to act through and to be bound by its said town meeting members who shall, when convened from time to time as herein provided, constitute representative town meetings; and the representative town meetings shall exercise exclusively, so far as will conform to the provisions of this act, all powers vested in the municipal corporation. Action in conformity with all provisions of law now or hereafter applicable to the transaction of town affairs in town meetings shall, when taken by any representative town meeting in accordance with the provisions of this act, have the same force and effect as if such action had been taken in a town meeting, open to all the voters of the town as heretofore organized and conducted.

Action binding upon town.

SECTION 10. This act shall not abridge the right of the inhabitants of Methuen to hold general meetings, as that

General meetings may be held, etc.

right is secured to them by the constitution of the commonwealth, nor shall this act confer upon any representative town meeting in Methuen the power finally to commit the town to any measure affecting its municipal existence or changing its government, without action thereon by the voters of the town at large, using the ballot and check lists therefor.

To be submitted to voters at special town meeting, etc.

SECTION 11. This act shall be submitted to the voters of the town of Methuen at a special town meeting to be held on April sixteenth in the current year. The polls shall be open from ten o'clock A.M. to six o'clock P.M., and the vote shall be taken by ballot in accordance with the provisions of the General Laws, so far as the same shall be applicable, in answer to the question: "Shall an act passed by the general court in the year nineteen hundred and twenty-one entitled 'An Act to provide for precinct voting, representative town meetings, town meeting members, a referendum and an annual moderator in the town of Methuen', be accepted by this town?"

Action taken at certain town meeting confirmed.

SECTION 12. The calling of the general town meeting held in said town on Saturday February nineteenth, nineteen hundred and twenty-one and any and all action taken and votes passed at the same are hereby ratified and confirmed.

When act takes effect.

SECTION 13. Section twelve and so much of this act as authorizes its submission to the voters of the town shall take effect upon its passage, and the remainder shall take effect upon its acceptance by a majority of the voters voting thereon.

Approved April 7, 1921.

Chap. 242 AN ACT RELATIVE TO THE ISSUE OF PAID-UP SHARES BY CO-OPERATIVE BANKS.

Be it enacted, etc., as follows:

G. L. 170, § 12, amended.

SECTION 1. Section twelve of chapter one hundred and seventy of the General Laws is hereby amended by inserting after the word "each", in the third line, the words: — ; provided that the total value of paid-up shares outstanding at any one time shall not exceed ten per cent of the assets of the corporation, — so as to read as follows:— *Section 12.* The capital to be accumulated shall be unlimited and shall be divided into shares of the ultimate value of two hundred dollars each; provided that the total value of paid-up shares outstanding at any one time shall not exceed ten per cent of

Capital of co-operative banks to be unlimited, etc.

Proviso.

the assets of the corporation. The shares may be issued in quarterly, half yearly or yearly series, in such amounts and at such times as the board of directors may determine. Shares of a prior series may be issued after a new series, subject to the approval of the board of directors. Paid-up shares may be issued, subject to such approval, each share to have a value of two hundred dollars, which shall be paid by the purchaser when the shares are issued, together with interest from the last distribution of profits at a rate fixed by the directors, but not in excess of the rate distributed to unmatured shares. Paid-up shares shall participate in each distribution of profits in the same manner and to the same extent as matured shares, as provided in section forty, but at a rate not to exceed five per cent. No person shall hold more than forty unmatured shares or more than ten matured and ten paid-up shares in any one bank at the same time. Paid-up shares may be withdrawn or retired in the manner provided in sections sixteen and eighteen for matured shares.

Issue of shares.

Holdings limited.

SECTION 2. This act shall not require a co-operative bank having outstanding, at the time of its passage, paid-up shares in excess of ten per cent of its assets, to retire said excess, but no new paid-up shares shall be issued by said bank unless in compliance with this act.

Certain paid-up shares in excess of ten per cent of assets need not be retired, but, etc.

Approved April 8, 1921.

AN ACT TO DISSOLVE CERTAIN CORPORATIONS.

Chap. 243

Whereas, It is necessary that certain delinquent corporations be dissolved before April first in the current year, therefore the following act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency pre-
amble.

Be it enacted, etc., as follows:

SECTION 1. Such of the following named corporations as are not already legally dissolved, are hereby dissolved, subject to the provisions of sections fifty-one and fifty-two of chapter one hundred and fifty-five of the General Laws: —

Certain business corporations dissolved.

BUSINESS CORPORATIONS.

- A. E. Vinal Shoe Company
- A. Hershenson and Company, Inc.
- A. L. Levin Inc.

Certain
business cor-
porations dis-
solved.

Aberdeen Realty Corporation
Accounting Machine Company of New England
Advertising Vigilance Association, Inc.
Agawam Hotel Company
Ambuter Studios, Incorporated
American Dressed Beef Company
American Flyer Company
American Groceries Company
American Loan Association, Inc.
American Mica Corporation
American Shipbuilding and Transportation Corporation
American Valve Company
Ames Plow Company
Anderson Electric Bath Company
Arlington Amusement Company
Arlington Heights Garage, Inc.
Arnold Manufacturing Company
Associated Service Corporation, The
Atlantic Brokerage Company (1918)
Atlantic Fruit Company
Automobile Commercial Association, Inc.
Automobilists' Rebate Company
B. Fleigel Company
Bailey's Rubber Heel and Sole Inc.
Baldwin's Inc. of New Hampshire
Batterman Rubber Company
Bay State Development Company
Bay State Garment Company
Bay State Ice Co.
Bay State Seal and Manufacturing Company
Beacon Coal and Export Corporation
Beacon Grocery Company, Inc.
Beacon Hill Dry Goods Company
Beacon Hotel Corporation, The
Bell Rock Leather & Tanning Company
Bellevue Real Estate and Construction Company
Bermann & Dressler, Inc.
Bianco-Parenti Company
Blanchards, Inc., The
Blanchard Printing Company (1906)
Blouse Shop, Limited, The
Bonaventure Company
Boston & Pacific Steamship Company
Boston Book Company, The

Boston Chop House, Inc.
 Boston Cycle Company
 Boston Motor Car Company
 Boston Outlet Stores, Inc.
 Boston Retail Grocers Food Fair Company
 Boston Silk Company, The
 Boston Smelting & Refining Company
 Boston Trawling Co.
 Boston Water Still Co.
 Bowdoin Square Arcade Co.
 Brad's System, Inc.
 Brattle Company, The
 Bresnick Bros. & Curewitz, Inc.
 Brezner-Jacobson Leather Co.
 Bristol Broom Manufacturing Company, The
 Bristol County Supply Company
 Brooklyn Tube Works
 Bryant Company, The
 Buck Grain Company
 Bucyrus Eastern Sales Company
 Bullard Company, The
 Burgess Company & Curtis
 Buzzards Bay Fish Company
 C & C Corporation
 C. B. Wyman & Son, Inc.
 C. Condikey Confectionery Co.
 C. E. Tibbetts Inc.
 C. F. Dewing Company
 C. G. Gunther's Sons Inc.
 C. I. Worcester & Co. Inc.
 C. R. March, Inc.
 C. S. Ransom, Incorporated
 Cahill Construction Company
 Cain Confectionery Company
 Cambridge Olympia Company
 Casino Bowling Alleys, Inc.
 Centreville Wine Company
 Charles H. Annable Company
 Charles Slater Co., Inc., The
 Chelsea Public Market, Inc.
 Chisholm Corporation, The
 Citizens' National Railroads League, Inc.
 Clawfoot Company
 Cobb Fish and Oyster Company

Certain
 business cor-
 porations dis-
 solved.

Certain
business cor-
porations dis-
solved.

Cobb Hersey Company
Coca-Cola Bottling Works of Worcester
Coe, Inc.
Collins, Plass, Thayer Co.
Comfort Shoe Co.
Commercial Building Investment Company, The
Commercial Utilities & Manufacturing Company
Commonwealth Engineering Company
Commonwealth Motors, Inc.
Consolidated Electric Company
Consolidated Storage Warehouse Co.
Continental Brokerage Exchange, Inc.
Co-operative Union, The
Corby Company, The
Corwin-Wilde Company, The
Cottrell Restaurant Company
Crittenden Manufacturing Company
Crown Manufacturing Company
Cummings Manufacturing Co.
Daley's Bleaching and Dyeing Company, Incorporated
David Kremgold & Company, Inc.
Day Motor Transportation Company
Delehanty-Clark, Inc.
Dental Electric Company
Doherty-Kelley Co.
Doore Hospital, Inc., The
Dorchester Creamery Co.
Doyle's Chain Stores, Inc.
Dummerston Granite Company, The
Durable Machine Tool Company Inc.
Dwight Motor Company
E. A. Poland Company
E. D. Walsh, Inc.
E. F. Hunt Company
E. Forman & Co. Inc.
E. H. Marcy Laboratories Incorporated
E. L. Thomas Shoe Co.
E. S. Farnsworth, Inc.
Eagle Confectionery Co.
Eastern Aircraft Corporation (1919)
Eaton, May and Robbins Paper Company
Economy Converting Co.
Edison-Rosen Shoe Co.
Edward R. Ladew Company of Massachusetts

•

Elam Shoe Company of Boston
 Elkhorn Briquetted Fuel Company
 Elon Sherman's Sons Inc.
 Embee Machine Company
 Emergency Trucking Company, The
 Empire Biscuit Company
 Ensign Manufacturing Company
 Espinosa Fruit Company
 Essex Publicity Service Inc.
 Everett Press, Inc., The
 Extra Mileage Tire Company, The
 F. A. Tarbox Co.
 F G & W Company
 F. L. F. Shoe Company
 F. S. Gilley, Inc.
 Fairfield-Hallett Company
 Fallon-Case Company
 Federal Underwriters Incorporated
 Federal Weatherproof Garment Company
 Fein Electric Tool Company of America
 Ferguson Highland Garage, Inc.
 Fern Rock Spring Water Co.
 Fidelity Cranberry Company of Cape Cod
 Fisk Hospital, The
 Fitchburg Real Estate and Loan Company
 Fleming Express Company
 Fleming Machine Tool Company
 Flynn and Lynch, Incorporated
 Ford Dry Goods Company
 Francis D. Gilman Company, The
 Franklin Leather Company, Inc., The
 Fraprie-Douglas Company, The
 Frederick J. Quinby Company, The
 Frederick Lobl Company
 G. A. Piscopo Co., Inc.
 General Appliance Company, The
 General Manufacturing Corporation
 George A. Mevis Corporation
 Geo. L. Meserve Co.
 George P. Bingham Co.
 Glidden Stores Company, The
 Globe Biscuit Company
 Globe Ear-Phone Co.
 Gloucester Gill-Net Fisheries Company, Inc.

Certain
 business cor-
 porations dis-
 solved.

Certain
business cor-
porations dis-
solved.

Gloucester Net & Twine Corporation
Goldex Leather Company
Greater Boston Hotel Company
Greenough-Heddinger Company, The
Gridley Lunch Company
Griffin Amusement Company
Grocers' Mutual Supply Company
Grogan Hardware Company
H. L. Jones Company
H. T. Corser Company
H. T. Emmons-Swift Co.
Hadley-Hayden Company
Hairenik Publishing Company
Hamilton & Hersey, Inc.
Hampden County Title Company
Harley Manufacturing Company
Harnett-Smith Company
Harry L. Cohen Company, The
Harvard Glove Company (July 18, 1919)
Harvard Mine, Incorporated
Hatch and Company, Incorporated
Hendee Manufacturing Sales Company
Herbert Sheppard Company
Heie Products Company
Hoffman Crate and Lumber Company
Holden Manufacturing Company Inc.
Hollis Clothing Company
Home Associates Inc., The
Home Built Toy Co.
Home Laundry Company
Hopkinton Supply Company
Hotel Bond Company of Massachusetts, The
Hotel Hamilton, Inc.
Hotel Pleasant Company
Howard Machine Company Incorporated, The
Hub Fish Co.
Hub Mining Co.
Hudson Building Company
Hyde Park Electric Light Company
I. H. Bogart & Son Shipbuilding Co.
I. Wechsler & Co., Inc.
Ideal Restaurant Company
Independent Auto Transit Company
Independent Whip Co.

Certain
business cor-
porations dis-
solved.

Indestructible Furniture Company
Industrial Exchange Company
Industrial Starch Company
Inter-Urban Realty Company
Into Co-operative Store, Incorporated
Investments & Securities Company
Investors' Protective Association of America Incorporated
Italian Workingmen Co-operative Association, Inc., The
J. S. Round and Co., Incorporated
J. T. Tighe Company
J. W. Steere & Son Organ Company, The
Jamaica Auto Sales Company
James V. Haley Company, Inc.
Jameson & Burbank, Inc.
Jaquith Machinery Bureau, Inc.
Jiffy Brush Company, The
Johnson-McCarthy Corporation, The
Johnson Pneu-Metal Tire Company
Jones-Webster Corporation
Joseph Pomerantz, Incorporated
Kermel Apparatus Company
Keystone Woolen Mills
Kingsbury-Van Wart Incorporated
Klinch Manufacturing Company
Knopf Manufacturing Company
Knox Company
L. H. Schmunk Lumber Company, Incorporated
La-Lo Chemical Company
Lambert-Frank Co.
Lamprey Company
Lands End Motor Co.
Langlois Brothers, Inc.
Language Book Company
Lecrow Leather Clothing Company
Lee Farming Co.
Legasse, Hannigan & Lemkin Co.
Lenane Supply Company, Incorporated
Levendorf and Meltzer Company Incorporated
Liakopoulos Company, Inc.
Liberty Engraving Company
Liberty Pickle Works
Liberty Shipbuilding Company
Liberty Specialty Co.

Certain
business cor-
porations dis-
solved.

Lincoln Webbing Company
Lothrop Motor Freight Routes, Inc.
Lowell and Suburban Construction Company
Lowell Terminal Company, The
Lynn Market House Company
Lyons Printing Company
M. & M. Shoe Co., Inc.
MacMackin Oil Company
Mark Shoe Company
Market Warehouse Company (January 11, 1919)
Marshfield Strawberry Co-operative Exchange
Massachusetts Contracting Company, The
Massachusetts Export Company, Inc.
Massachusetts Fishing Company
Massachusetts Hotel Company
Massachusetts Omnibus Corporation
Meador Engineering and Machine Company
Mechanic Tool Corporation
Mercantile Associates of America, Inc., The
Merchants Buyers Co.
Merrimac Bakeries, Inc.
Merrow Machine Company
Metropolitan Manufacturing Company
Middlesex Furniture Co.
Mill Remnant Stores Co.
Miss Nelson, Inc.
Modelyacht Company
Morgan Mail Order House, Inc.
Mosher Garage, Incorporated
Mutual Development Corporation, The
Myrick Cranberry Bog Company
Myron Shoe Co.
Mystic River Wharf Co. Inc.
N. E. French Co.
Natick Gas Light Company
National Confectionery Co.
National Copper Works Incorporated
National Drug Company, Inc.
National Gravure Co.
National Lens Company
National Opera Co. Inc.
National Oxygen Products Company
National Sales Company
National Textile Company, Inc.

Navin & Kelly Company
 Needham Lumber Co.
 New England Auto Investment Co. Inc.
 New England Cancer Institute, The
 New England Cranberry Sales Company (1907)
 New England Directory Company
 New England Excelsior Company
 New England Film Distributors, Inc.
 New England Optical Company
 New England Paper Export Corp.
 New England Steel & Machine Company
 New Fountain Inn Company
 New Hotel Victoria Company
 New York and Boston Despatch Express Company
 Newfoundland Corporation
 Newton Associates Incorporated
 Niels A. Dolleris & Son Company
 Niles Modern Poultry Farm, Inc.
 Non Skid Company of America
 North American Securities Co.
 Northeastern Sales Company
 Northern Dry Goods Company, The
 Norwood Construction Company
 Norwood Plumbing & Heating Company
 O'Brien & Winkler Manufacturing Co., Inc.
 Oil Statistical Society, Inc.
 Old South Theatre, Inc.
 Oneida Knitting Company, Inc.
 Osgood, Harris & West, Inc.
 Owners Motor Service, Inc.
 P. H. Carpenter Company, The
 P. J. McCoy & Co., Inc.
 Page Richards Company, The
 Palmer Mining Company
 Paton Manufacturing Company
 Peabody-Woburn Machine Company
 Peerless Chemical Company
 Peoples Co-operative Store, Inc.
 Peru Ointment Company
 Pineapple Products Company, The
 Pinkerton Construction Company of Massachusetts
 Pittsfield Auto & Scrap Metal Company
 Playground Apparatus Manufacturing Company
 Pneumatic Cushion Sole Shoe Company

Certain
 business cor-
 porations dis-
 solved.

Certain
business cor-
porations dis-
solved.

Pneumatic Safety Tool Co.
Polack Tyre & Rubber Company of Massachusetts
Polish Stock Company
Provident Food Company, The
Prudential Paper Box Company, Inc.
Puritan Cement Stone Co.
Purity Products Corporation
R. L. Harper Company
Raised Printing Company
Rapids Furniture Company, The (June 23, 1919)
Raw Products Company
Ray Commercial Company, Incorporated
Regina Lace Company
Renmor Lumber Company
Robert E. Croke Company
Roberts Lightning Mixer Company
Robinson & Hayes, Inc.
Rockland Building Association, Incorporated
Rosenfield and Rapkin Company
Royal Fern Extension Company
S. & W. Bus Company
S. F. Matthews, Inc.
Sable Lumber Company
Safety Fireproof Door Co.
Salem Supply Co. Inc.
Sanitary Plumbing Company
Sea Breeze Hotel Company
Shack and Fine Company
Sicilian Bread Company, The
Simpkin & Johnson, Inc.
Smith and Corcoran Company
Somerby-Burgess Circuit Inc.
South Bay Garage Company
South Bay Land & Dock Co.
South Shore Coal Company
Southwest Cone Company
Spring Snap Fastener Company
Springfield Housing Corporation
Springfield Metal Furring Company
Square Deal Publishing Company
Standard Iron & Metal Company
Staples & Towse, Inc.
Star Tanning Company
Starkey Theatre Company

Stewart Automobile Corporation of Springfield, Mass.
 Stoddard Union Company
 Stone Meal Products Company
 Story Company, The
 Suffolk Castings & Supply Company
 Suffolk Chemical Co.
 Suffolk Leasehold Company
 Suffolk Manufacturing Company
 Superior Garment Company
 T. E. Chase & Son Company
 Taghconic Telephone Company
 Tober Brothers Incorporated
 Towne & Whitney, Inc.
 Tradd-Hoeschle Co. Inc.
 Transatlantic Export & Import Co., The
 Tremont Pure Food Company
 Turva Co-operative Store Company
 U. S. A. Spark Plug Corporation
 U. T. Hungerford Brass & Copper Company of Boston
 Union Oil Company of New England
 United Ice Cream Cone Company, The
 United Mill Ends Stores, Inc.
 United Roof Coating Company
 United States Motor Sales Company of Fall River
 Universal Auto Lock Co.
 Unlocked Process Shoe Co. Inc.
 Up Town Amusement Company
 Uricsol Chemical Company of Boston
 Vacuum Ventilator Company, The
 Varnesis Company
 Vexillum Oil Company
 W. B. O'Keefe Leather Co.
 W. H. Marble Automobile Company
 W. J. Haggerty Company
 Wakefield Motor Mart, Inc.
 Walfair Construction Company, The
 Walter C. Mentzer Company
 Waltham Amusement Company
 Wamesit Worsted Company
 Ware Hosiery Company, The
 Warranty Leather Handle Mfg. Co.
 Wee Tots Shoe Manufacturing Company
 Wells Hardware Company of Holyoke, Massachusetts,
 The

Certain
 business cor-
 porations dis-
 solved.

Certain
business cor-
porations dis-
solved.

Wentworth-Miller Corporation
Western Milling Company, The
Whistle Bottling Company of Worcester
Wiechman Pattern Company
William A. Slater Mills, Inc. (1916)
William C. Gregor, Inc.
Wm. Filene's Sons Company, (1903)
Williams Bros. Fish Company
Wilson Motor Truck Sales Company of New England
Wilson Press, Inc., The
Women's Board of Trade Building, Inc.
Wonders of 1920, Incorporated, The
Workers Co-operative Company
Zee-Socket and Mfg. Company

CHARITABLE AND OTHER CORPORATIONS.

Certain chari-
table and other
corporations
dissolved.

Anatolian Star League Of Greeks From Asia Minor,
The
Attleboro War Chest, Incorporated
Avalon Hospital Association, Inc.
Bay State Dispensary
Brockton Boys' Club Association, The
Cambridge and Somerville Hebrew Ladies' Educational
Institute, The
Chicopee Boys' Club
Daughters of Israel of Haverhill, Mass., Inc.
Dedham Country and Polo Club (Organized 1901)
Forster Trust Association
Hampden Hospital
Helping Hand Society, The
Italian War Relief Fund of America, Inc.
Ladies Howard Society of Nantucket
Lawrence Humane Society
Life Line League, Inc.
Marine Society at Newburyport in New England
Metropolitan Dental Hospital Association, The
National Employment Association for Cured Tuber-
cular Persons
New England Department of the Church Temperance
Society, The
Parsons Trust Association
Prince Hall Grand Commandery Knights Templar Cor-
poration

Quincy 4th of July Association
 Quincy Market Club, The
 Seaside Home of Fall River, The
 Social Order of Stag Inc.
 Suffolk Dispensary
 Trustees of St. Stephen's Settlement in Boston, The
 Union Belge, Incorporated
 United Hebrew Bricklayer's Mutual Aid and Benefit
 Society
 Walpole War Fund Association, Inc.
 White Plague Relief Fund Association
 Whitmanville Shawmut Club of Westminster, Mass.,
 The

Certain chari-
 table and other
 corporations
 dissolved.

SECTION 2. Nothing in this act shall be construed to affect any suit now pending by or against any corporation mentioned herein, or any suit now pending or hereafter brought for any liability now existing against the stockholders or officers of any such corporation, or to revive any charter previously annulled or any corporation previously dissolved, or to make valid any defective organization of any of the supposed corporations mentioned herein.

Pending suits
 not affected,
 etc.

SECTION 3. Suits upon choses in actions arising out of contracts sold or assigned by any corporation dissolved by this act may be brought or prosecuted in the name of the purchaser or assignee. The fact of sale or assignment and of purchase by the plaintiff shall be set forth in the writ or other process; and the defendant may avail himself of any matter of defence of which he might have availed himself in a suit upon the claim by the corporation, had it not been dissolved by this act.

Proceedings in
 suits upon
 choses in action,
 how brought,
 etc.

SECTION 4. Nothing in this act shall be construed to relieve the last person who was the treasurer or assistant treasurer, or, in their absence or incapacity, who was any other principal officer, of each of the corporations named in this act, from the obligation to make a tax return as of April first following the date of dissolution and swear to the same as required by section thirty-five of chapter sixty-three of the General Laws. The tax liability of each of the corporations named in this act shall be determined in accordance with the existing laws of this commonwealth.

No relief from
 obligation to file
 tax return, etc.

SECTION 5. This act shall take effect as of March thirty-first in the current year.

When act takes
 effect.

Approved April 8, 1921.

Chap.244 AN ACT AUTHORIZING THE TOWN OF METHUEN TO INCUR
INDEBTEDNESS FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

Methuen School
Loan, Act of
1921.

SECTION 1. For the purpose of constructing a grammar school building, and for the purchase of original equipment and furnishings for said building, the town of Methuen may, from time to time, borrow such sums as may be necessary, not exceeding, in the aggregate, one hundred and fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Methuen School Loan, Act of 1921. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall otherwise be subject to chapter forty-four of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved April 8, 1921.

Chap.245 AN ACT AUTHORIZING THE COUNTY OF MIDDLESEX TO
STRENGTHEN, ALTER AND IMPROVE TYNGSBOROUGH BRIDGE.

Be it enacted, etc., as follows:

County of
Middlesex au-
thorized to
strengthen, etc.,
Tyngsborough
bridge.

SECTION 1. For the purpose of strengthening, altering and otherwise improving Tyngsborough bridge over the Boston and Maine railroad and the Merrimack river in the town of Tyngsborough, the county commissioners of the county of Middlesex may borrow from time to time on the credit of the county a sum not exceeding, in the aggregate, thirty thousand dollars and may issue bonds or notes therefor. Such bonds or notes shall be payable by such annual payments, beginning not more than one year after the date of each loan, as will extinguish the loan within ten years from its date, and the amount of such annual payment in any year shall not be less than the amount of the principal of the loan payable in any subsequent year. The county may sell the said securities at public or private sale, upon such terms and conditions as it may deem proper, but not for less than their par value, and the proceeds except premiums shall be used only for the purposes herein specified. Premiums received on account of loans hereby authorized may be used to pay the cost of issuing the bonds or notes, and any bal-

ance shall be held and applied to the first bond or note maturing.

SECTION 2. This act shall take effect upon its passage.

Approved April 8, 1921.

AN ACT RELATIVE TO THE DISPOSITION OF UNSUBSCRIBED Chap. 246
FOR SHARES OF THE CAPITAL STOCK OF GAS, ELECTRIC
AND WATER COMPANIES.

Whereas, The deferred operation of this act would largely defeat its purpose to afford the relief therein provided for, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

Section nineteen of chapter one hundred and sixty-four of the General Laws is hereby amended by striking out, in the sixth, seventh and eighth lines, the words "They shall also so sell at public auction any shares which under the provisions of the preceding section remain unsubscribed for by the stockholders entitled to take them.", and inserting in place thereof the following: — Any shares heretofore or hereafter authorized, which, under the provisions of the preceding section, remain unsubscribed for by the stockholders entitled to take them may be sold by the directors at public auction, or may be disposed of at such price, not less than par, and upon such terms and in such manner as the directors may deem advisable, subject to the approval of the department, — by inserting after the word "shares", in the eighth line, the words: — as are sold by auction, — and by inserting after the word "other", in the ninth line, the words: — city or, — so as to read as follows: — *Section 19.* If an increase subject to the preceding section does not exceed four per cent of the existing stock of the company, the directors, without first offering the shares to the stockholders, may sell them by auction or by tender to the highest bidder in such manner, at such times and upon such terms, not less than par to be paid in cash, as the directors shall determine. Any shares heretofore or hereafter authorized, which, under the provisions of the preceding section, remain unsubscribed for by the stockholders entitled to take them may be sold by the directors at public auction, or may be disposed of at such price, not less than par, and upon such terms and in

G. L. 164, § 19,
amended.

Disposition of
unsubscribed
for shares of
capital stock of
gas, electric and
water com-
panies.

such manner as the directors may deem advisable, subject to the approval of the department. Such shares as are sold by auction shall be offered for sale in Boston or in such other city or town as the department prescribes, and notice of the time and place of the sale shall be published at least five times, during the ten days immediately preceding the sale, in each of three, at least, of such daily newspapers as the department may prescribe. *Approved April 8, 1921.*

Chap. 247 AN ACT EXTENDING THE TIME FOR THE ORGANIZATION OF THE ANNUITY COMPANY OF MASSACHUSETTS.

Be it enacted, etc., as follows:

1920, 452, § 3,
amended.

Annuity Com-
pany of Massa-
chusetts, capi-
tal stock,
amount, etc.

Dividends.

Proviso.

Chapter four hundred and fifty-two of the acts of nineteen hundred and twenty is hereby amended by striking out section three and inserting in place thereof the following:—
Section 3. The capital stock of the corporation shall be one million dollars divided into ten thousand shares of a par value of one hundred dollars each. No certificates of shares shall be issued and no contracts of annuity shall be granted, purchased or sold unless the whole capital stock is paid in within two years from May thirteen, nineteen hundred and twenty-one. The capital stock may be increased from time to time, in accordance with the provisions of law relating to business corporations. The corporation may pay such dividends as the directors may consider prudent from its net earnings; provided that at least one half of the net earnings shall accumulate until the surplus, whether accumulated or paid in, is at least five hundred thousand dollars.

Approved April 8, 1921.

Chap. 248 AN ACT ESTABLISHING A MASSACHUSETTS STANDARD FOR BOXES AND HALF BOXES FOR FARM PRODUCE SOLD AT WHOLESALE.

Be it enacted, etc., as follows:

G. L. 94, new
section after
§ 99.

Massachusetts
standard box
and half box
for farm
produce sold at
wholesale.

SECTION 1. Chapter ninety-four of the General Laws is hereby amended by inserting after section ninety-nine the following new section to be numbered section ninety-nine A:—
Section 99A. The Massachusetts standard box for farm produce sold at wholesale, except as otherwise provided, shall contain two thousand one hundred fifty and forty-two one hundredths cubic inches and shall be of the following dimensions by inside measurements: seventeen and one half

inches in length by seventeen and one half inches in width and seven and one sixteenth inches in depth. The Massachusetts standard half box for farm produce sold at wholesale shall contain one thousand seventy-five and twenty-one one hundredths cubic inches and shall be of the following dimensions by inside measurements: twelve and three eighths inches in length by twelve and three eighths inches in width and seven and one sixteenth inches in depth. When the above specified boxes are made of wood the ends shall be not less than five eighths inches in thickness and the sides and bottom not less than three eighths inches in thickness. All such boxes and half boxes of the dimensions specified herein shall be marked on at least one outer side in bold, uncondensed capital letters, not less than one inch in height: — Standard Box Farm Produce, — and, — Standard Half Box Farm Produce, — respectively. Whoever marks or otherwise represents any box or half box to be a standard box or half box for the sale of farm produce at wholesale shall, unless such box or half box complies with every specification and requirement of this section, be punished by a fine of not more than fifty dollars. The director of standards in the department of labor and industries, his inspectors and the sealers and deputy sealers of weights and measures in cities and towns shall enforce the provisions of this section.

Marks on boxes and half boxes.

Penalty.

SECTION 2. This act shall take effect March first, nineteen hundred and twenty-two. *Approved April 8, 1921.*

When act takes effect.

AN ACT INCORPORATING THE ISAAC HARRIS CARY EDUCATIONAL FUND. Chap. 249

Be it enacted, etc., as follows:

SECTION 1. Isaac Harris Cary and William Harris Cary, surviving trustees under the last will of Susanna E. Cary, late of Boston, Massachusetts, and also under the last will of Eliza Cary Farnham, late of the city and state of New York, together with George E. Briggs, Robert P. Clapp, Charles B. Davis, Edward H. Mara, Edward P. Merriam, Frank D. Peirce, Elwyn G. Preston, Jay O. Richards, F. Foster Sherburne and John C. Spring, and their successors, are hereby made a corporation by the name of Isaac Harris Cary Educational Fund for the purpose of erecting in the town of Lexington, under said wills, and providing for the establishment and maintenance of a memorial building, and otherwise executing and carrying out the trusts and pur-

Isaac Harris Cary Educational Fund, incorporated.

poses of said wills; and save as herein otherwise provided said corporation shall have all the powers and privileges and be subject to all the duties, restrictions and liabilities contained in all general laws now or hereafter in force relating to such corporations.

May receive
certain estate,
etc.

SECTION 2. Said corporation may receive all the estate bequeathed and devised by said wills to the trustees therein named, or the proceeds thereof, and hold, use and expend the same upon the trusts and for the objects set forth in said wills; and it shall have power to do all acts and things necessary or expedient to carry out the purposes of said wills and of this act.

Board of
trustees to man-
age affairs, etc.

SECTION 3. The property and affairs of the corporation shall be managed by a board of not less than six nor more than twelve trustees, to consist originally of said incorporators. A majority of the board shall have power to fill such vacancies as may from time to time arise therein.

Vacancies, how
filled.

Approved April 8, 1921.

Chap.250 AN ACT AUTHORIZING THE CITY OF CAMBRIDGE TO PENSION
KITTIE L. MAGOUN.

Be it enacted, etc., as follows:

Cambridge may
pension Kittie
L. Magoun.

SECTION 1. The city of Cambridge may retire Kittie L. Magoun, an employee of its board of license commissioners, on an annual pension equal to one half of the annual compensation paid her at the time of her retirement.

To be sub-
mitted to city
council, etc.
Proviso.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter, provided that such acceptance occurs prior to December thirty-first in the current year.

Approved April 8, 1921.

Chap.251 AN ACT RELATIVE TO THE MEASUREMENT AND SALE OF
CORD WOOD AND FIREWOOD.

Be it enacted, etc., as follows:

G. L. 94, § 298,
amended.

SECTION 1. Chapter ninety-four of the General Laws is hereby amended by striking out section two hundred and ninety-eight and inserting in place thereof the following:—
Section 298. Cord wood sold or offered or exposed for sale shall be four feet in length, including half the kerf. The term "firewood" shall be construed to mean and include wood cut to any lengths of less than four feet. The standard

Cord wood and
firewood,
dimensions of.

unit of measure for cord wood or firewood shall be the "cord" of one hundred and twenty-eight cubic feet consisting of or equivalent to a pile, closely stacked, eight feet in length, four feet in width and four feet in height.

SECTION 2. Said chapter ninety-four is hereby further amended by striking out section two hundred and ninety-nine and inserting in place thereof the following: — *Section 299.* Whoever, except as otherwise provided, sells cord wood or firewood, shall cause a certificate or memorandum to be issued and delivered to the purchaser or his agent at the time of delivery of the wood, or as soon thereafter as practicable. Such certificate or memorandum shall include the names and addresses of the seller and of the purchaser, and a statement of the quantity of wood delivered, in terms of cords or of cubic feet. Whoever violates any provision of this or the preceding section shall be punished by a fine of not more than fifty dollars. *Approved April 8, 1921.*

G. L. 94, § 299, amended.

Penalty for selling wood, etc., not measured.

AN ACT RELATIVE TO THE REIMBURSEMENT OF TOWNS FOR THE COST OF FOREST FIRE EQUIPMENT. *Chap. 252*

Be it enacted, etc., as follows:

Section eleven of chapter forty of the General Laws is hereby amended by adding at the end thereof the following: — Whenever it has been demonstrated to the satisfaction of the state forester that such equipment has been destroyed or has become unfit for use, the town shall be reimbursed by the commonwealth one half the cost of replacing the same; provided that the amount paid to any one town in any one year shall not exceed fifty dollars. All equipment purchased under this section shall be in the custody and care of the town forest warden. The state forester or his deputies may inspect such equipment at such times as they may deem necessary, — so as to read as follows: — *Section 11.* A town which accepts this section, or has accepted corresponding provisions of earlier laws, may appropriate money for the prevention of forest fires to an amount not exceeding one tenth of one per cent of its valuation. Every such town with a valuation of one million seven hundred and fifty thousand dollars or less which appropriates and expends money, with the approval of the state forester, for apparatus to be used in preventing or extinguishing forest fires, or for making protective belts or zones as a defence against forest fires, shall, upon the recommendation of the

G. L. 40, § 11, amended.

Prevention of forest fires.

Reimbursement
of towns for
cost of forest
fire equipment.

Proviso.

state forester, approved by the governor, receive from the commonwealth a sum equal to one half of the said expenditure; but no town shall receive more than two hundred and fifty dollars. A sum not exceeding five thousand dollars may annually be expended by the commonwealth for this purpose. Whenever it has been demonstrated to the satisfaction of the state forester that such equipment has been destroyed or has become unfit for use, the town shall be reimbursed by the commonwealth one half the cost of replacing the same; provided that the amount paid to any one town in any one year shall not exceed fifty dollars. All equipment purchased under this section shall be in the custody and care of the town forest warden. The state forester or his deputies may inspect such equipment at such times as they may deem necessary.

Approved April 8, 1921.

Chap. 253 AN ACT TO PROVIDE FOR CO-OPERATION BETWEEN THE UNITED STATES DEPARTMENT OF AGRICULTURE AND THE COMMONWEALTH IN THE COLLECTION AND PUBLICATION OF CERTAIN STATISTICS.

Be it enacted, etc., as follows:

Agricultural
statistics, col-
lection and
publication.

The commissioner of agriculture is hereby authorized to enter into an agreement with the United States department of agriculture for co-operative work in the collection and publication of agricultural statistics, such agreement to be subject to the approval of the governor and the council. The department of agriculture may expend such sum as may hereafter be appropriated for the purpose.

Approved April 8, 1921.

Chap. 254 AN ACT RELATIVE TO THE DISPOSAL OF SEWAGE FROM THE MASSACHUSETTS SCHOOL FOR THE FEEBLE-MINDED.

Be it enacted, etc., as follows:

1893, 83, § 3,
amended.

Massachusetts
School for the
Feeble-Minded,
disposal of
sewage.

Chapter eighty-three of the acts of eighteen hundred and ninety-three is hereby amended by striking out section three and inserting in place thereof the following: — *Section 3.* There shall be paid by the board of trustees of the Massachusetts School for the Feeble-Minded to the city of Waltham annually, for each fiscal year of said school beginning with the present fiscal year, such amount towards the annual expense of maintaining and operating its public sewers, including the amount paid annually by said city for the disposal of its sewage through the metropolitan sewerage

system, as may be agreed upon between the said city through its duly authorized representatives, and the commonwealth through the board of trustees of said school; and if said board and said city shall be unable to agree, then the amount to be paid annually shall be determined by three commissioners to be appointed by the supreme judicial court upon the application either of said city or said board of trustees and after notice to the other of said parties. The award of said commissioners when accepted by said court shall be binding upon said city and the commonwealth. The amount of said annual payment when once fixed shall be certified to the treasurer of said school by a certificate thereof signed by a majority of said board and the representatives of said city in case of an agreement, or by a certificate of a clerk of said court filed with said treasurer, in case of an award, and shall continue to be so paid annually until changed by a new agreement or a new award made upon application of either said city or the school, duly certified in the manner above provided; but no change shall be made oftener than once in five years. The said amount shall be paid annually out of the appropriation for maintenance expenses of the said school.

Approved April 8, 1921.

AN ACT RELATIVE TO THE EMPLOYMENT OF EXPERT ASSISTANCE IN THE DEPARTMENT OF PUBLIC SAFETY. Chap. 255

Be it enacted, etc., as follows:

Chapter one hundred and forty-eight of the General Laws is hereby amended by striking out section twelve and inserting in place thereof the following: — *Section 12.* The commissioner may expend the amount annually appropriated for maintaining a laboratory to aid in the enforcement of the laws relative to explosives and inflammable fluids and compounds, and for the employment of expert assistance to aid in the enforcement of such laws and to perform such other duties as the commissioner may prescribe.

G. L. 148, § 12, amended.

Department of public safety, expert assistance expenditure.

Approved April 8, 1921.

AN ACT PERMITTING THE SUPERINTENDENT OF BUILDINGS PROPERLY TO PROTECT STATE PROPERTY. Chap. 256

Be it enacted, etc., as follows:

Section twelve of chapter eight of the General Laws is hereby amended by adding at the end thereof the following:

G. L. 8, § 12, amended.

Superintendent
of buildings,
state property
protection.

— The superintendent may arm his watchmen and assistant watchmen and, in case of an emergency, may arm and detail as watchmen for extra duty such employees in his department as, in his judgment, the emergency requires for the proper protection of state property under his jurisdiction.

Approved April 8, 1921.

Chap. 257 AN ACT PROVIDING FOR THE PAYMENT BY THE COMMONWEALTH OF DAMAGES CAUSED BY WILD MOOSE.

Be it enacted, etc., as follows:

G. L. 131, § 67,
amended.

Payment by
the common-
wealth of dam-
ages caused by
wild deer or
moose, etc.

SECTION 1. Chapter one hundred and thirty-one of the General Laws is hereby amended by striking out section sixty-seven and inserting in place thereof the following: — *Section 67.* Whoever suffers loss by the eating, browsing or trampling of his fruit or ornamental trees, vegetables, produce or crops by wild deer or wild moose, if the damage is done in a city may inform the officer of police thereof, who shall be designated to receive such information by the mayor, and if the damage is done in a town may inform the chairman of the selectmen of the town where the damage was done, who shall proceed to the premises and determine whether the damage was inflicted by such deer or moose, and, if so, appraise the amount thereof if it does not exceed twenty dollars. If, in the opinion of the officer or chairman, the amount of said damage exceeds twenty dollars, he shall appoint two disinterested persons, who, with himself, shall appraise, under oath, the amount thereof. The officer or chairman shall return a certificate of the damages found, except in Suffolk county, to the treasurer of the county in which the damage is done, within ten days after such appraisal is made. The treasurer shall thereupon submit the same to the county commissioners, who, within thirty days, shall examine all bills for damages, and if any doubt exists, may summon the appraisers and all parties interested and make such examination as they may think proper. The bills properly approved with the cost of appraisal shall be sent by the county treasurer to the state auditor, and they shall be paid by the commonwealth. In Suffolk county the certificate of damages shall be returned to the treasurer of the town where the damage is done, who shall exercise and perform the rights and duties hereby conferred and imposed upon the county commissioners in other counties. The ap-

praisers shall receive from the commonwealth one dollar each for every such examination made by them, and shall receive twenty cents a mile, one way, for their necessary travel.

SECTION 2. This act shall take effect January first, nineteen hundred and twenty-two. *Approved April 8, 1921.* When act takes effect.

AN ACT AUTHORIZING THE DEPARTMENT OF MENTAL DISEASES TO TAKE LAND IN THE TOWN OF WRENTHAM FOR THE WRENTHAM STATE SCHOOL. Chap.258

Be it enacted, etc., as follows:

The department of mental diseases, on behalf of the commonwealth, may, with the approval of the governor and council, take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase, land in fee in the town of Wrentham for the Wrentham state school. Department of mental diseases, land for the Wrentham state school.

Approved April 8, 1921.

AN ACT RELATIVE TO THE FEES OF SHERIFFS, DEPUTY SHERIFFS AND CONSTABLES FOR THE CUSTODY OF CERTAIN PERSONAL PROPERTY WHILE IN CHARGE OF KEEPERS. Chap.259

Be it enacted, etc., as follows:

Section eight of chapter two hundred and sixty-two of the General Laws is hereby amended by striking out the word "two", in the twenty-sixth line, and inserting in place thereof the word: — three, — so that the paragraph included within lines twenty-five to thirty-six will read as follows: — For the custody of personal property attached, replevied or taken on execution, not more than three dollars for each day of not more than eight hours for the keeper while he is in charge, and not more than one dollar a day for the officer for a period not longer than ten days; but the officer may be allowed a greater compensation for himself or for his keeper, or compensation for a longer period, by the written consent of the plaintiff and the defendant whose property has been attached, replevied or taken on execution, or by order of the court upon a hearing. He shall also be entitled to expenses for packing, labor, teaming, storage and taking and preparing a schedule of property attached, replevied or taken on execution, if he certifies that such expenses were necessary and are reasonable. G. L. 262, § 8, amended.

Sheriffs, etc., fees for custody of personal property, etc.

Approved April 8, 1921.

Chap.260 AN ACT AUTHORIZING THE DIVISION OF HIGHWAYS OF THE DEPARTMENT OF PUBLIC WORKS TO ACQUIRE LAND AND BUILDINGS FOR THE STORAGE AND REPAIR OF ROAD MACHINERY AND EQUIPMENT.

Be it enacted, etc., as follows:

G. L. 81, § 3,
amended.

Department of
public works.
Division of
highways may
provide road
machinery, etc.

Suitable quar-
ters for storage
to be provided.

Section three of chapter eighty-one of the General Laws is hereby amended by adding at the end thereof the following:— For the purpose of providing suitable quarters for the storage and repair of steam road rollers and other road machinery and tools and other equipment owned by the commonwealth, the division may, subject to the approval of the governor and council, acquire by purchase or gift, land and buildings and construct or alter buildings on any land so acquired,— so as to read as follows:— *Section 3.* Steam road rollers and other road machinery, purchased by the division and owned by the commonwealth shall be managed and maintained under the direction of the division, which may engage competent engineers and mechanics to operate and keep said machines in repair, may purchase all needed materials and supplies, and may incur such other expenses as may be necessary to operate, maintain and transport said machines. Upon the application of the selectmen or road commissioners of a town of not more than twelve thousand inhabitants, the division may furnish such road machinery for use by the town in building or repairing ways therein. The expenses incurred under this section shall be paid by the towns using said machines, as apportioned and directed by the division. For the purpose of providing suitable quarters for the storage and repair of steam road rollers and other road machinery and tools and other equipment owned by the commonwealth, the division may, subject to the approval of the governor and council, acquire by purchase or gift, land and buildings and construct or alter buildings on any land so acquired.

Approved April 8, 1921.

Chap.261 AN ACT AUTHORIZING THE CITY OF CHICOPEE TO PAY A CERTAIN SUM OF MONEY TO THE WIDOW OF CAPTAIN FRANK BYRNES.

Be it enacted, etc., as follows:

Chicopee may
pay certain sum
of money to
widow of Cap-

SECTION 1. The city of Chicopee may pay to the widow of Captain Frank Byrnes, late mechanician of the fire de-

partment of said city, the balance of the salary which he would have received had he lived and continued in such employment until the end of the current fiscal year of said city, but in no event more than two thousand dollars.

tain Frank
Byrnes.

SECTION 2. This act shall take effect upon its acceptance by the city council of said city, subject to the provisions of its charter; provided that such acceptance occurs prior to December thirty-first in the current year.

To be sub-
mitted to city
council, etc.
Proviso.

Approved April 8, 1921.

AN ACT RELATIVE TO COMMITMENT OF PERSONS ACQUITTED BY REASON OF INSANITY. *Chap. 262*

Be it enacted, etc., as follows:

Section thirteen of chapter two hundred and seventy-eight of the General Laws is hereby amended by adding at the end thereof the following: — The court may at any time revise or revoke the order of commitment as it may deem proper, — so as to read as follows: — *Section 13.* If a person charged with crime other than murder or manslaughter is acquitted by the jury by reason of insanity, the jury shall state that fact to the court, which, if satisfied that he is insane, may, under such limitations as it deems proper, order him committed to a state hospital, except the Bridgewater state hospital; but such person, if a male, or any person coming within the provisions of section one hundred or one hundred and one of chapter one hundred and twenty-three, may be committed or removed to Bridgewater state hospital if, in the opinion of the court, he has been a criminal or is of vicious tendency; and if he has been held on a charge of felony, the expense of his support in any such hospital or in any state charitable institution to which he may be transferred shall be paid by the commonwealth. The court may at any time revise or revoke the order of commitment as it may deem proper.

G. L. 278, § 13,
amended.

Commitment of
persons ac-
quitted by
reason of in-
sanity.

Approved April 9, 1921.

AN ACT GOVERNING THE MANUFACTURE AND SALE OF CLINICAL THERMOMETERS. *Chap. 263*

Whereas, More rigid regulations for the manufacture and sale of clinical thermometers are necessary for the purpose of correcting existing conditions, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience,

Emergency
preamble.

Be it enacted, etc., as follows:

G. L. 98, § 12,
amended.

Testing of
clinical ther-
mometers.

SECTION 1. Chapter ninety-eight of the General Laws is hereby amended by striking out section twelve and inserting in place thereof the following: — *Section 12.* The director may at any time inspect and test any clinical thermometer in the possession of any manufacturer or dealer in this commonwealth and for this purpose may remove the same to such place as he may deem most convenient. Whenever he inspects and tests such a thermometer and finds it to be correct he shall seal, mark or otherwise certify it as correct. Whenever he inspects and tests such a thermometer and finds it to be incorrect he may condemn, seize and destroy it; or he may return it to the owner upon a satisfactory guarantee that it will not be sold or used.

Fees.

The following fees for testing clinical thermometers shall be paid to the director for the use of the commonwealth: (a) one to eight thermometers, inclusive, twenty-five cents for the first and ten cents for each additional one; (b) any number from nine to eleven, inclusive, total fee one dollar; (c) one dozen to six dozen, inclusive, one dollar per dozen; (d) more than six dozen and not more than twelve dozen, seventy-five cents per dozen; (e) more than twelve dozen, sixty cents per dozen.

G. L. 98, § 13,
amended.

Sealing of
clinical ther-
mometers by
manufacturer.

SECTION 2. Said chapter ninety-eight is hereby further amended by striking out section thirteen and inserting in place thereof the following: — *Section 13.* The director shall prescribe rules and regulations governing the manufacture and sale of clinical thermometers and may authorize the sealing of such thermometers by any manufacturer thereof upon his agreement to conform to said rules and regulations and the filing of a surety bond in such sum and upon such terms as the director may require. When representative samples of any clinical thermometer have been submitted by the manufacturer to the director and approved by him, he shall assign a designating mark which shall thereafter be permanently engraved by the manufacturer upon all clinical thermometers which are intended for sale and which conform to the samples which have been so approved. Clinical thermometers sealed by the manufacturer shall be marked with the name, initials or trade-mark of the manufacturer, and with such other marks as the director may authorize or require. The director may revoke the authority given by him to any manufacturer under the provisions of this section upon proof that the authorized seal or designating mark has

Marking.

Authority may
be revoked.

been affixed to a thermometer not conforming to the approved sample or that the prescribed rules and regulations have not been complied with.

SECTION 3. Said chapter ninety-eight is hereby further amended by striking out section fourteen and inserting in place thereof the following: — *Section 14.* Whoever, himself or by his servant or agent, or as the servant or agent of another person, keeps for the purpose of sale, offers or exposes for sale, or sells any clinical thermometer not sealed, marked or certified as correct by the director, or by the manufacturer as provided by the preceding section, shall be punished by a fine of not more than ten dollars for each thermometer so sold, or kept, offered or exposed for sale, and whoever violates any rule or regulation prescribed by the director under authority of said section shall be punished by a fine of not more than fifty dollars.

G. L. 98, § 14, amended.

Penalty for sale of clinical thermometers not sealed, etc.

Approved April 12, 1921.

AN ACT RELATIVE TO THE RATE OF INTEREST ON BONDS *Chap. 264*
ISSUED BY WATER COMPANIES.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency preamble.

Be it enacted, etc., as follows:

Chapter five hundred and eighty-one of the acts of nineteen hundred and twenty, as amended by chapter six hundred and thirty-four of the acts of the same year, is hereby further amended by striking out section one and inserting in place thereof the following: — *Section 1.* Gas and electric companies, and corporations and companies engaged in the distribution and sale of water in this commonwealth, may, subject in all other respects to the provisions of chapter one hundred and sixty-four of the General Laws, issue bonds bearing interest at such rate as the department of public utilities shall approve, and may secure the payment of the principal and interest of such bonds by a mortgage of their franchise and properties; and any such corporation issuing bonds under a mortgage existing at the time of the passage of this act, by the provisions of which the rate of interest on bonds issued thereunder is fixed, may, with the approval of the said department, issue bonds thereunder at a price

1920, 581, § 1, etc., amended.

Rate of interest on bonds issued by certain public utility companies.

Proviso.

and with provisions for amortization of any discount approved by the said department as consistent with the public interest; provided that the terms of the mortgage so permit.

Approved April 12, 1921.

Chap. 265 AN ACT RELATIVE TO THE TAXATION OF PERSONS ENGAGED IN THE BUSINESS OF DEALING IN INTANGIBLE PERSONAL PROPERTY.

Emergency preamble.

Whereas, The deferred operation of this act would cause substantial inconvenience, inasmuch as it applies to taxes levied in the current year, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. 62, § 2, amended.

SECTION 1. Section two of chapter sixty-two of the General Laws is hereby amended by striking out, in the twenty-fourth line, the words "such excess", and by adding at the end thereof the words:— an amount of such excess which bears the same proportion to the total excess as their income taxable under section one bears to their total net income as determined under section three, — so that the last paragraph will read as follows:— Persons described in paragraph (a) of this section may, if the deductions allowed by subsections (a) (b) (c) (d) (e) and (f) of section six exceed the total income taxable under subsections (b) and (c) of section five, deduct from their taxable interest and dividends, after deducting the aforesaid interest deduction, an amount of such excess which bears the same proportion to the total excess as their income taxable under section one bears to their total net income as determined under section three.

Taxation of certain intangible personal property.

Act to apply to certain income.

SECTION 2. This act shall apply to all income received in the year nineteen hundred and twenty and thereafter.

Approved April 12, 1921.

Chap. 266 AN ACT PROVIDING A TEACHERS' RETIREMENT ALLOWANCE FOR ELIZA A. HOWLAND.

Be it enacted, etc., as follows:

Teachers' retirement allowance for Eliza A. Howland.

Eliza A. Howland, for thirty-three years and four months a teacher in the public schools of the commonwealth, shall, beginning with July first, nineteen hundred and twenty-one,

receive a retirement allowance from the state teachers' retirement association computed under the provisions of paragraphs nine, ten and twelve of section ten of chapter thirty-two of the General Laws, and the average salary to be used in computing the pension under said paragraph ten shall be the salary for the five year period preceding July first, nineteen hundred and nineteen. *Approved April 12, 1921.*

AN ACT TO AUTHORIZE WELLESLEY COLLEGE TO HOLD Chap. 267
ADDITIONAL REAL AND PERSONAL ESTATE.

Be it enacted, etc., as follows:

SECTION 1. Wellesley College is hereby authorized to hold real and personal estate in the manner and for the purposes set forth in its charter to an amount not exceeding twenty million dollars; provided that no lands in the town of Wellesley owned or occupied by said college for the purposes set forth in its charter shall be exempt from taxation, excepting the lands now so owned and occupied by said college lying north of Washington street, west of Weston road, and south of Central street in said town, and also excepting the sewerage lot, so-called, lying south of said Washington street, so long as said lot shall be used by Wellesley College for sewage disposal purposes, but no longer, and also a parcel of land lying east of said sewerage lot containing about four acres and bounded and described as follows: — Beginning at a stone bound at the southerly corner of the said four acre lot on the easterly line of said sewerage lot, thence running northeasterly two hundred and fifty-three and twenty one hundredths feet to a stone bound; thence turning at a right angle and running northwesterly five hundred and thirty-two and fifty-nine one hundredths feet to a stone bound; thence turning at a right angle and running southwesterly four hundred and one and twelve one hundredths feet to a stone bound in the easterly line of said sewerage lot; thence turning and running southeasterly five hundred and fifty-two and seventy-five one hundredths feet by said sewerage lot to the point of beginning.

Wellesley College may hold additional estate.

Proviso.

SECTION 2. So much of chapter one hundred and fifty-one of the acts of eighteen hundred and eighty-four and chapter one hundred and eighty-nine of the acts of nineteen hundred and eleven as is inconsistent herewith is hereby repealed.

Repeal.

Approved April 12, 1921.

Chap.268 AN ACT RELATIVE TO PROVISION FOR DEPRECIATION BY COMPANIES UNDER THE SUPERVISION OF THE DEPARTMENT OF PUBLIC UTILITIES.

Be it enacted, etc., as follows:

G. L. 155, new section after § 5.

Department of public utilities to provide for depreciation by companies under its supervision.

SECTION 1. Chapter one hundred and fifty-five of the General Laws is hereby amended by inserting after section five the following new section:— *Section 5A.* If, when the department of public utilities, as required by law, approves an issue of stock, bonds, coupon notes or other evidences of indebtedness of a company under its supervision, or passes upon the price, rates, charges or service of such company, it determines that the provision made by such company for the depreciation of its property has been inadequate, the department shall order such company to set aside out of earnings such allowances for depreciation and for such period or periods as the department may from time to time prescribe. All moneys required by such order to be so set aside shall be kept as a separate fund and shall not, without the further order of the department, be used for any other purpose than for renewals other than ordinary repairs, or for extensions, reconstruction and enlargements of and additions to plant, and the department shall prescribe in its order such requirements relative to the creation and maintenance of such fund and its devotion to such aforesaid authorized uses as it may deem advisable. All orders and decisions of the department under the provisions of this section shall be enforced as provided in section sixteen of chapter one hundred and sixty-four.

Act, how construed.

SECTION 2. Nothing in this act shall be construed to limit or affect the power or authority of any public board of trustees of a street railway company, nor to authorize any order inconsistent with the laws of the United States or rules and orders adopted under authority thereof.

Approved April 12, 1921.

Chap.269 AN ACT RELATIVE TO BONDS AND MORTGAGES OF ELECTRIC COMPANIES OWNING HYDRO-ELECTRIC PLANTS.

Be it enacted, etc., as follows:

G. L. 164, § 9, amended.

Bonds and mortgages of

Section nine of chapter one hundred and sixty-four of the General Laws is hereby amended by adding at the end thereof the following:— An electric company which owns

an hydro-electric plant in this commonwealth may for the purpose of securing refunding mortgage bonds, with the consent of the department and to such extent and upon such terms as the department may approve, pledge, or cause to be pledged, bonds secured by prior liens upon the property mortgaged to secure such refunding mortgage bonds, and prior lien bonds so pledged shall not be counted in applying any limitations of law upon the amount of its outstanding bonds. Such company may, with the consent of the department and to such extent and upon such terms as the department may approve, acquire the stocks, bonds or other obligations of a corporation, association or person owning a storage reservoir in the states of Vermont or New Hampshire, the operation of which will be beneficial to an hydro-electric plant in this commonwealth owned by such company, or owning an electric system in another state from which such electric company derives an amount of energy which in the opinion of the department is a substantial amount.

electric companies owning hydro-electric plants may be pledged, etc.

Approved April 12, 1921.

AN ACT RELATIVE TO THE COMMITMENT AND CARE OF DEFECTIVE DELINQUENTS. Chap. 270

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and twenty-three of the General Laws is hereby amended by striking out section one hundred and thirteen and inserting in place thereof the following:— *Section 113.* At any time prior to the final disposition of a case in which the court might commit an offender to the state prison, the reformatory for women, any jail or house of correction, the Massachusetts reformatory, the state farm, the industrial school for boys, the industrial school for girls, the Lyman school, any county training school, or to the custody of the department of public welfare, for any offence not punishable by death or imprisonment for life, a district attorney, probation officer or officer of the department of mental diseases may file in court an application for the commitment of the defendant in such a case to a department for defective delinquents established under sections one hundred and seventeen and one hundred and twenty-four. On the filing of such application the court may continue the original case from time to time to await disposition thereof. If, on a hearing thereon, it appears that the defendant, within a period of three years, has been found

G. L. 123, § 113, amended.

Commitment and care of defective delinquents.

guilty of an offence for which he might have been committed to any institution above named or to the custody of the department of public welfare, or that he has been adjudged a juvenile delinquent, and that he is mentally defective, and is not a proper subject for the schools for the feeble-minded or for commitment as an insane person, the court may commit him to such department for defective delinquents, according to his age and sex, as hereinafter provided.

G. L. 123, § 117,
amended.

Departments
for defective
delinquents,
maintenance of.

SECTION 2. Section one hundred and seventeen of said chapter one hundred and twenty-three is hereby amended by striking out, in the first line, the words "the reformatory for women," and also by inserting after the word "may", in the second line, the word: — hereafter, — so as to read as follows: — *Section 117.* At the Massachusetts reformatory, the state farm or such other place or places as may hereafter be approved by the governor and council, there may be maintained departments to be termed departments for defective delinquents, for the custody of persons committed thereto under sections one hundred and thirteen to one hundred and sixteen, inclusive. All men and boys so committed shall be committed to the department for male defective delinquents. All women and girls so committed shall be committed to the department for female defective delinquents. All such persons committed to the department for defective delinquents at any institution under control of the department of correction shall be and remain in the custody of the said department until discharged as hereinafter provided.

Approved April 12, 1921.

Chap. 271 AN ACT RELATIVE TO THE CUTTING OF TIMBER ON CERTAIN LANDS REFORESTED BY THE COMMONWEALTH.

Be it enacted, etc., as follows:

G. L. 132, § 10,
amended.

Land for ex-
periments in
forest manage-
ment.

SECTION 1. Section ten of chapter one hundred and thirty-two of the General Laws is hereby amended by striking out all after the word "necessary", in the thirtieth line, and inserting in place thereof the following: — , and every such deed shall contain a restriction that trees planted by the commonwealth of less than eight inches in diameter at the butt shall not be cut from such property except with the approval of the forester, — so as to read as follows: — *Section 10.* The commissioner, with the advice and consent of the governor and council, for experiment and illustration in

forest management and for reforestation as set forth in this section may expend annually such sum as is appropriated by the general court in purchasing lands situated within the commonwealth and adapted to forest production. Land so acquired shall be under the control and management of the forester, who may, subject to the approval of the governor and council, cut and sell trees, wood and other produce therefrom. The price of such land shall not exceed in any instance five dollars per acre, nor shall more than eighty acres be acquired in any one tract in any one year, except that a greater area may so be acquired if the land purchased directly affects a source or tributary of water supply in any town of the commonwealth. All such lands shall be conveyed to the commonwealth, and no lands shall be paid for nor shall any money be expended in improvements thereon until all instruments of conveyance and the title to be transferred thereby have been approved by the attorney-general, and until such instruments have been executed and recorded. For assisting in reforestation a portion, not exceeding twenty per cent of the money authorized to be expended under this section may be used by the forester for the distribution, at not less than cost, of seeds and seedlings to land owners who are citizens of the commonwealth, under such conditions and restrictions as the forester, subject to the approval of the governor and council, may impose. The owners of land purchased under this section, or their heirs and assigns, may repurchase the land within ten years after the purchase, upon paying the price originally paid by the commonwealth, with interest at the rate of four per cent per annum, together with the amount expended in improvements and maintenance. The commissioner, with the approval of the governor and council, may execute in behalf of the commonwealth such deeds of reconveyance as may be necessary, and every such deed shall contain a restriction that trees planted by the commonwealth of less than eight inches in diameter at the butt shall not be cut from such property except with the approval of the forester.

Conveyance
of lands to the
commonwealth,
etc.

Repurchase
of land by
owners, etc.

SECTION 2. The owner of any land heretofore repurchased under the provisions of said section ten may, with the approval of the state forester, and subject to such conditions and restrictions as the state forester may impose, cut trees on such land, notwithstanding any restriction in the deed of reconveyance from the commonwealth.

State forester
may approve
cutting of trees
on certain land.

Approved April 12, 1921.

Chap.272 AN ACT RELATIVE TO THE TUITION OF STATE WARDS AND WARDS OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

G. L. 76, § 7,
amended.

Tuition of state
wards and
wards of the
city of Boston.

Section seven of chapter seventy-six of the General Laws is hereby amended by striking out, in the fifth, sixth and seventh lines, the words “, seventy-five cents for each week of five days, or major part thereof, of attendance in the elementary schools”, and inserting in place thereof the following: — for each day of attendance in a public elementary school an amount charged by the school committee but not at a rate in excess of the expenditure per pupil for support, exclusive of general control, of the public day elementary schools in said town for the next preceding school year based on the average membership of such schools as printed in the annual report of the department of education, — so as to read as follows: — *Section 7.* For the tuition in the public schools of any town of any child over five years placed elsewhere than in his home town by, or there kept under the control of, the department of public welfare or the trustees for children of Boston, the commonwealth or Boston, from its appropriation for school purposes, shall pay to said town for each day of attendance in a public elementary school an amount charged by the school committee but not at a rate in excess of the expenditure per pupil for support, exclusive of general control, of the public day elementary schools in said town for the next preceding school year based on the average membership of such schools as printed in the annual report of the department of education, and, for attendance in a public junior or senior high school, the regular rate established by the school committee for non-resident pupils, filed with and approved by the department of education.

Approved April 12, 1921.

Chap.273 AN ACT REGULATING THE KEEPING, STORAGE, USE, MANUFACTURE, SALE, HANDLING, TRANSPORTATION AND OTHER DISPOSITION OF SUBSTANCES HAVING CERTAIN DANGEROUS PROPERTIES.

Be it enacted, etc., as follows:

G. L. 148, § 10,
amended.

Rules and
regulations for
explosives.

Chapter one hundred and forty-eight of the General Laws is hereby amended by striking out section ten and inserting in place thereof the following: — *Section 10.* The department may make rules and regulations for the keeping,

storage, use, manufacture, sale, handling, transportation or other disposition of gunpowder, dynamite, crude petroleum or any of its products, or explosive or inflammable fluids or compounds, tablets, torpedoes or any explosives of a like nature, or any other explosives, or any substance having such properties that it may spontaneously, or acting under the influence of any contiguous substance, or of any chemical or physical agency, ignite or inflame or generate inflammable or explosive vapors or gases to a dangerous extent, and may prescribe the materials and construction of buildings to be used for any of the said purposes, except that cities and towns may by ordinances or by-laws prohibit the sale or use of fireworks or firecrackers within the city or town, or may limit the time within which firecrackers and torpedoes may be used.

Sale of fire-works, etc.

Approved April 12, 1921.

AN ACT RELATIVE TO THE APPOINTMENT OF FOREST WARDENS. *Chap. 274*

Be it enacted, etc., as follows:

Section eight of chapter forty-eight of the General Laws is hereby amended by adding at the end thereof the following:

G. L. 48, § 8, amended.

— Upon the failure of the mayor of a city or the selectmen of a town to make such appointment in the month of January, the forester shall notify the mayor or selectmen so to do, and if the mayor or selectmen fail to comply within fourteen days after receipt of such notice, the forester may appoint as forest warden in such city or town a suitable person, who shall be a resident thereof, — so as to read as follows: — *Section 8.* The mayor in cities and, except as provided in section forty-three, the selectmen in towns shall annually, in January, appoint a forest warden, and forthwith give notice thereof to the state forester, in this chapter called the forester. Such appointment shall not take effect unless approved by the forester. When so approved notice of the appointment shall be given by the mayor or selectmen to the person so appointed. Whoever having been duly appointed fails within seven days after receipt of such notice to file with the city or town clerk his acceptance or refusal of the office shall, unless excused by the mayor or selectmen, forfeit ten dollars. The same person may hold the offices of tree warden, selectman, chief of fire department and forest warden. Upon the failure of the mayor of a city or the selectmen of a town to make such appointment in the month

Appointment of forest wardens.

Forfeiture.

When state forester appoints forest warden.

of January, the forester shall notify the mayor or selectmen so to do, and if the mayor or selectmen fail to comply within fourteen days after receipt of such notice, the forester may appoint as forest warden in such city or town a suitable person, who shall be a resident thereof.

Approved April 12, 1921.

Chap. 275 AN ACT AUTHORIZING THE DESIGNATION OF PERSONS TO PERFORM THE DUTIES OF HEADS OF DEPARTMENTS OR DIVISIONS DURING ABSENCE OR DISABILITY.

Be it enacted, etc., as follows:

G. L. 30, § 6,
amended.

Head of department, etc., may designate person to perform his duties, etc.

Chapter thirty of the General Laws is hereby amended by striking out section six and inserting in place thereof the following: — *Section 6.* If during the absence or disability of a commissioner or head of an executive or administrative department or of a director or head of a division in a department, his duties are not specially authorized by law to be performed by another person, the commissioner or head of such department may designate another person in his department to perform the duties of such person in case of and during such absence or disability, but a person so designated shall have no authority to make permanent appointments or removals. Every such designation shall be subject to approval by the governor and council, and shall remain in force and effect until revoked by the commissioner or head of such department or by the governor and council.

Approved April 12, 1921.

Chap. 276 AN ACT RELATIVE TO AID BY THE MILITARY FORCES TO THE CIVIL AUTHORITIES.

Be it enacted, etc., as follows:

G. L. 33, § 30,
amended.

Call of militia in case of tumult, riot, etc.

Section thirty of chapter thirty-three of the General Laws is hereby amended by inserting after the word "catastrophe", in the fourth line, the word: — or, — so as to read as follows: — *Section 30.* In case of a tumult, riot, mob or a body of persons acting together by force to violate or resist the laws of the commonwealth, or when such tumult, riot or mob is threatened, or in case of public catastrophe or when the usual police provisions are inadequate to preserve order and afford protection to persons and property, and the fact appears to the commander-in-chief, to the sheriff of a county, to the mayor of a city or to the selectmen of a town, the com-

mander-in-chief may issue his order, or such sheriff, mayor or selectmen may issue a precept, directed to any commander of a brigade, regiment, naval brigade or battalion, battalion, squadron, corps of cadets or company, within the jurisdiction of the officer issuing such order or precept, directing him to order his command, or any part thereof, to appear at a time and place therein specified to aid the civil authority in suppressing such violations and supporting the laws; which precept shall be in substance as follows:

COMMONWEALTH OF MASSACHUSETTS.

To (insert the officer's title) A. B., *commanding* (insert Precept. his command).

Whereas, It appears to (the sheriff, mayor or the selectmen) of the (county, city or town) of , that (here state one or more of the causes above mentioned) in our of , and that military force is necessary to aid the civil authority in suppressing the same: Now, therefore, we command you that you cause (the command or such part thereof as may be desired), armed and equipped with ammunition and with proper officers, to parade at , on then and there to obey such orders as may be given according to law. Hereof fail not at your peril, and have you there this precept with your doings returned thereon.

This precept shall be signed by the sheriff, mayor or selectmen, and may be varied to suit the circumstances of the case; and a copy of the same shall immediately be forwarded by the sheriff, mayor or selectmen to the commander-in-chief. Copy of precept to commander-in-chief.

Approved April 12, 1921.

AN ACT RELATIVE TO THE INCORPORATION OF REINSURANCE COMPANIES. Chap. 277

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and seventy-five of the General Laws is hereby amended by inserting after section two the following new section: — *Section 2A.* Contracts of reinsurance shall be deemed contracts of insurance as defined in section two, and authority to make contracts of insurance shall include authority to make contracts of reinsurance covering the same classes of risks, but the hazards under such contracts shall be deemed distinct in nature from the G. L. 175, new section after § 2. Contracts of reinsurance defined, etc.

hazard originally insured. No provision of law relative to the form of insurance policies shall apply to contracts of reinsurance unless made specifically applicable thereto.

G. L. 175, § 20,
amended.

SECTION 2. Section twenty of said chapter one hundred and seventy-five is hereby amended by inserting after the word "reinsured", in the ninth line, the words: — , or with a company incorporated or formed to reinsure and authorized to reinsure in the commonwealth risks of the same kinds as those reinsured, — by inserting after the word "commonwealth", in the seventeenth line, the words: — , or (c) with a company incorporated or formed to reinsure and authorized to reinsure in the commonwealth, — by striking out, in the thirty-fifth and thirty-sixth lines, the words "Reinsurance of risks shall not be held to be within the provisions of law requiring the use of standard forms of policies", and also by striking out, in the forty-second line, the word "of", where it occurs the second time, and inserting in place thereof the word: — or, — so as to read as follows: — *Section 20.* Any company, except as herein provided, may reinsure in any other company any part or all of any risks assumed by it, and shall file with the annual statement required by section twenty-five and at such other times as the commissioner may require, schedules of all reinsurance.

Companies to
file schedules of
reinsurance.

Taxes not to be
reduced, etc.

Such reinsurance shall not reduce the taxes to be paid by the ceding company, nor, if a life company, shall it reduce the reserve to be charged to it, unless effected with a company authorized to issue policies in the commonwealth covering risks of the same kinds as those reinsured, or with a company incorporated or formed to reinsure and authorized to reinsure in the commonwealth risks of the same kinds as those reinsured. Such reinsurance shall not reduce the reserve or other liability to be charged to the ceding company, other than life, unless (a) it is effected with a company authorized in the commonwealth as aforesaid, or (b) with a company similarly authorized in another state or territory of the United States conforming to the same standard of solvency and fulfilling the same statutory or departmental regulations which would be required of such company if, at the time such reinsurance is effected, it were authorized as aforesaid in the commonwealth, or (c) with a company incorporated or formed to reinsure and authorized to reinsure in the commonwealth; provided, that any contract of reinsurance, other than life, made by any domestic company or by any company incorporated in a foreign country and

Not to reduce
the reserve,
etc.

Provisos.

having its principal office in the commonwealth, ceding more than seventy-five per cent of its total outstanding risks, shall be subject to the written approval of the commissioner; and provided, further, that no domestic life company shall reinsure its risks without the written permission of the commissioner, but may reinsure not exceeding one half of an individual risk.

When reinsurance is so effected the ceding company, other than a life company, shall thereafter be charged on the gross premium basis with an unearned premium liability, and a life company shall be charged thereafter with a reserve liability, both said unearned premium and reserve liability representing the proportion of the obligation retained by it, and the company with which the reinsurance is effected shall be charged thereafter in like manner with the proportion of the obligation assumed by it. Both the companies shall together carry the same unearned premium liability or reserve which the ceding company would have carried had it not reinsured the risk.

Ceding company, how to be charged, etc.

A company ceding reinsurance to a mutual company shall not, unless the contract of reinsurance so provides, become thereby a member of the company accepting such reinsurance or be entitled to any dividend or expiration return of premium or be subject to liability to assessment.

Restriction on company ceding reinsurance.

This section shall not permit a ceding company, other than life, to receive through the cession of the whole or any of its risks any advantage in respect to its unearned premium reserve, or, if a life company, in respect to the net value of its policies involving life contingencies that would reduce the same below the actual amount thereof.

Section not to permit certain advantage.

A company and any officer or agent thereof effecting or acting in the negotiation of reinsurance in violation of this section shall severally be punished by a fine of five hundred dollars.

Penalty.

SECTION 3. Section forty-seven of said chapter one hundred and seventy-five, as amended by section one of chapter two hundred and fifteen of the acts of nineteen hundred and twenty-one, is hereby further amended by adding at the end thereof the following new clause: — *Fifteenth*, To reinsure risks of every kind or description undertaken by other companies.

G. L. 175, § 47, etc., amended.

Reinsurance risks.

SECTION 4. Section forty-eight of said chapter one hundred and seventy-five, as amended by section two of said chapter two hundred and fifteen, is hereby further amended

G. L. 175, § 48, etc., amended.

Capital of stock companies.

G. L. 175, § 49, amended.

Name of corporation at formation.

by inserting before the last paragraph of said section forty-eight the following new paragraph:— Under the fifteenth clause, not less than five hundred thousand dollars.

SECTION 5. The second paragraph of section forty-nine of said chapter one hundred and seventy-five is hereby amended by adding at the end thereof the words:— , or, if organized under the fifteenth clause of section forty-seven, the word “reinsurance”, — so as to read as follows:— The name of the corporation shall be subject to approval by the commissioner, and shall contain the word “insurance” or, if organized on the mutual plan, the words, “mutual insurance”, or, if organized under the fifteenth clause of section forty-seven, the word “reinsurance”.

Approved April 12, 1921.

Chap. 278

AN ACT RELATIVE TO THE MISUSE OF THE FLAG.

Be it enacted, etc., as follows:

G. L. 264, § 5, amended.

Penalty for misuse of the flag, etc.

Section five of chapter two hundred and sixty-four of the General Laws is hereby amended by inserting after the word “Veterans”, in the fifteenth line, the words:— , to a post or department of The American Legion, — so as to read as follows:— *Section 5.* Whoever publicly mutilates, tramples upon, defaces or treats contemptuously the flag of the United States or of Massachusetts, whether such flag is public or private property, or whoever displays such flag or any representation thereof upon which are words, figures, advertisements or designs, or whoever exposes to public view, manufactures, sells, exposes for sale, gives away or has in possession for sale or to give away or for use for any purpose, any article or substance, being an article of merchandise or a receptacle of merchandise or articles upon which is attached, through a wrapping or otherwise, engraved or printed in any manner, a representation of the United States flag, or whoever uses any representation of the arms or the great seal of the commonwealth for any advertising or commercial purpose, shall be punished by a fine of not less than ten nor more than one hundred dollars or by imprisonment for not more than one year, or both; but a flag belonging to a grand army post, to a camp of the United Spanish War Veterans, to a post or department of The American Legion, or belonging to or used in the service of the United States or the commonwealth, may have the names of battles and the name and number of the organiza-

tion to which such flag belongs inscribed thereon. Words, figures, advertisements or designs attached to, or directly or indirectly connected with, the flag or any representation thereof in such manner that the flag or its representation is used to attract attention to or advertise such words, figures, advertisements or designs, shall for the purposes of this section be deemed to be upon the flag.

Words, etc., when deemed to be upon the flag.

Approved April 12, 1921.

AN ACT ESTABLISHING THE RIGHT OF CERTAIN VETERANS
OF THE CIVIL WAR TO STATE PENSIONS AND PROVIDING
FOR THEIR COMPUTATION.

Chap. 279

Be it enacted, etc., as follows:

Section forty-nine of chapter thirty-two of the General Laws is hereby amended by striking out the last sentence and inserting in place thereof the following:—A veteran otherwise qualified for retirement under this section, whose term of service was for a fixed number of years which has expired, or whose office has been abolished, shall be entitled to its benefits, without reappointment, from the date of incapacitation, said date to be determined by the governor and to be certified by him to the state auditor.

G. L. 32, § 49, amended.

Right of certain veterans of the civil war to state pensions, etc.

Approved April 12, 1921.

AN ACT RELATIVE TO THE WORKING HOURS OF WOMEN AND
CHILDREN IN CERTAIN EMPLOYMENTS.

Chap. 280

Be it enacted, etc., as follows:

Section fifty-six of chapter one hundred and forty-nine of the General Laws is hereby amended by inserting after the word "company", in the fourth line, the words:—, or in any laundry, hotel, manicuring or hair dressing establishment, motion picture theatre, or as an elevator operator, or as a switchboard operator in a private exchange, — and by inserting after the word "day", and before the semi-colon, in the fifth line, the words:— except that hotel employees who are not employed in a manufacturing, mercantile or mechanical establishment connected with a hotel may be employed more than nine but not more than ten hours in any one day, — so as to read as follows:— *Section 56.* No child and no woman shall be employed in laboring in any factory or workshop, or in any manufacturing, mercantile, mechanical establishment, telegraph office or telephone exchange, or

G. L. 149, § 56, amended.

Working hours of women and children in certain employments.

by any express or transportation company, or in any laundry, hotel, manicuring or hair dressing establishment, motion picture theatre, or as an elevator operator, or as a switch-board operator in a private exchange, more than nine hours in any one day except that hotel employees who are not employed in a manufacturing, mercantile or mechanical establishment connected with a hotel may be employed more than nine but not more than ten hours in any one day; and in no case shall the hours of labor exceed forty-eight in a week, except that in manufacturing establishments where the employment is determined by the department to be by seasons, the number of such hours in any week may exceed forty-eight, but not fifty-two, provided that the total number of such hours in any year shall not exceed an average of forty-eight hours a week for the whole year, excluding Sundays and holidays; and if any child or woman shall be employed in more than one such place, the total number of hours of such employment shall not exceed forty-eight hours in any one week. Every employer, except those hereinafter designated, shall post in a conspicuous place in every room where such persons are employed a printed notice stating the number of hours' work required of them on each day of the week, the hours of beginning and stopping work, and the hours when the time allowed for meals begins and ends, or, in case of mercantile establishments and of establishments exempted from sections ninety-nine and one hundred, the time, if any, allowed for meals. The employment of any such person at any time other than as stated in said printed notice shall be deemed a violation of this section unless it appears that such employment was to make up time lost on a previous day of the same week in consequence of the stopping of machinery upon which such person was employed or dependent for employment; but no stopping of machinery for less than thirty consecutive minutes shall justify such overtime employment, nor shall such overtime employment be authorized until a written report of the day and hour of its occurrence and its duration is sent to the department, nor shall such overtime employment be authorized because of the stopping of machinery for the celebration of any holiday. Every employer engaged in furnishing public service, or in any other kind of business in respect to which the department shall find that public necessity or convenience requires the employment of children or women by shifts during different periods or parts of the day, shall post in a conspicuous place in every room

Proviso.

Printed notice
of hours' work
required to be
posted, etc.

where such persons are employed a printed notice stating separately the hours of employment for each shift or tour of duty and the amount of time allowed for meals. A list by name of the employees, stating in which shift each is employed, shall be kept on file at each place of employment for inspection by employees and by officers charged with the enforcement of the law. In cases of extraordinary emergency or extraordinary public requirement, this section shall not apply to employers engaged in public service or in other kinds of business in which shifts may be required as hereinbefore stated; but in such cases no employment in excess of the hours hereby authorized shall be considered as legalized until a written report of the day and hour of its occurrence and its duration is sent to the department.

Extraordinary emergency, etc.

Approved April 12, 1921.

AN ACT TO INCORPORATE THE TRUSTEES OF EMMANUEL COLLEGE WITH POWER TO GRANT DEGREES. Chap. 281

Be it enacted, etc., as follows:

SECTION 1. Adèle Marie Gils, Mary A. Curtin, Catherine A. Saunders, Bridget Scannell, Anna O'Neill, Helen Ingraham and Mary O'Connell, their associates and successors, are hereby constituted a body corporate by the name of The Trustees of Emmanuel College and they and their successors and such persons as shall be duly elected members of the corporation shall be and remain a body corporate by that name forever. Said trustees shall be self-perpetuating and shall have power as occasion may require to elect a president, a treasurer, a secretary and such other officers for said corporation as may be found necessary and to declare the duties, salaries and tenures of their respective offices, and also to remove any trustee from the said corporation when in their judgment he becomes incapable of discharging the duties of his office or shall neglect or refuse to perform the same, and also from time to time to elect new members of the corporation in the case of death, resignation or disability. The number of members shall be not less than seven nor more than nine.

The Trustees of Emmanuel College, incorporated.

SECTION 2. The said corporation shall have power to establish rules for the holding and conducting of its meetings and also from time to time to elect such officers, tutors, instructors, clerks and other officers of the said college as it shall judge most for the interest thereof and to determine

Powers.

May confer
certain degrees.

the duties, salaries and tenures of their several offices. Said corporation is further empowered from time to time to make reasonable rules and regulations for the good government of said college, to determine and regulate the course of instruction in said college and to confer such degrees as are usually conferred by colleges in this commonwealth, except medical degrees and degrees of bachelor of laws.

Real and per-
sonal estate.

SECTION 3. The said corporation may sue and be sued in all actions by the name of The Trustees of Emmanuel College and may take and hold in fee simple or any less estate by gift, grant, devise, bequest, purchase or otherwise any real or personal estate or interest therein within or without this commonwealth. Said corporation may have a common seal which it may alter or renew at its pleasure and all deeds sealed with the seal of said corporation and signed by its order shall, when made in its corporate name, be considered in law as the deeds of said corporation.

Common seal,
etc.

Appropriation
of rents, profits,
etc.

SECTION 4. The clear rents and profits of all the estate, real and personal, of which the said corporation shall be seized and possessed shall be appropriated to the endowment of said college in such manner as shall most effectually promote virtue, piety and learning in such of the languages and of the liberal and useful arts and sciences as shall be recommended from time to time by the said corporation though conforming to the will of any donor or donors in the application of any estate which may be given, devised or bequeathed for any particular object connected with the college.

Religious
opinions no bar
to admission of
students.

SECTION 5. No student in said college shall be refused admission to or denied any of the privileges, honors or degrees of said college on account of the religious opinions he may entertain.

Subject to
certain corpo-
ration laws.

SECTION 6. The said corporation shall have all the powers and privileges and be subject to all the restrictions, duties and liabilities set forth in all general laws now or hereafter in force relating to such corporations, except as otherwise provided herein.

Approved April 12, 1921.

Chap. 282 AN ACT RELATIVE TO THE REIMBURSEMENT OF TOWNS FOR
LOSS OF TAXES ON LAND USED FOR STATE FORESTS.

Be it enacted, etc., as follows:

G. L. 58, § 15,
amended.

SECTION 1. Section fifteen of chapter fifty-eight of the General Laws is hereby amended by adding at the end thereof

the following: — ; provided that as to land used for a state forest such assessed valuation shall be reduced by deducting therefrom the value of all forest products removed from such land between the first day of April on which it was last assessed and the first day of April in the year for which the reimbursement is to be made, the amount thereof to be certified annually before the first day of May to the commissioner by the state forester, — so as to read as follows:

— *Section 15.* The valuation determined under the two preceding sections shall be in effect for the purposes of sections thirteen to seventeen, inclusive, during the year in which such valuation is made and the four succeeding years, and until another valuation is made under said sections; except that whenever land is acquired by the commonwealth for the purposes named in section thirteen the commissioner shall adopt the assessed valuation of said land made in the year last preceding such purchase, and such assessed valuation shall be the valuation of the land for the purposes of sections thirteen to seventeen, inclusive, until a new valuation is made by the commissioner under sections thirteen and fourteen; provided that as to land used for a state forest such assessed valuation shall be reduced by deducting therefrom the value of all forest products removed from such land between the first day of April on which it was last assessed and the first day of April in the year for which the reimbursement is to be made, the amount thereof to be certified annually before the first day of May to the commissioner by the state forester.

Effect of determination. Valuation of newly purchased land.

Proviso.

SECTION 2. This act shall take effect as of March thirty-first in the current year.

Approved April 12, 1921.

When act takes effect.

AN ACT INCREASING THE SALARY OF THE CHAIRMAN OF THE BOARD OF ASSESSORS OF THE CITY OF BOSTON. Chap. 283

Be it enacted, etc., as follows:

SECTION 1. Section two of chapter ninety-three of the Special Acts of nineteen hundred and eighteen is hereby amended by striking out, in the twelfth line, the word "five", and inserting in place thereof the word: — six, — so as to read as follows: — *Section 2.* The mayor of the city shall appoint, and may at any time remove, in accordance with the provisions of chapter four hundred and eighty-six of the acts of nineteen hundred and nine, three assessors to hold

1918, 93 (S), § 2, amended.

Mayor of Boston to appoint, etc., assessors.

Salaries.

office for terms of one, two, and three years, respectively, beginning with the first day of April in the current year. As the term of each assessor expires, the mayor in like manner shall appoint his successor for a term of three years from the first day of April in the year of appointment. The mayor shall also fill any vacancy for the unexpired term. The mayor shall designate the chairman of the board who shall receive an annual salary of six thousand dollars; the two other members of the board shall each receive an annual salary of forty-five hundred dollars.

To be submitted to city council, etc.
Proviso.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of the city of Boston, subject to the provisions of its charter; provided that such acceptance occurs prior to December thirty-first in the current year.

Approved April 13, 1921.

Chap. 284 AN ACT ESTABLISHING THE OFFICE AND SALARY OF A CHIEF COURT OFFICER IN THE MUNICIPAL COURT OF THE CITY OF BOSTON FOR CRIMINAL BUSINESS.

Be it enacted, etc., as follows:

G. L. 218, § 62,
amended.

SECTION 1. Section sixty-two of chapter two hundred and eighteen of the General Laws is hereby amended by inserting after the word "business", in the third line, the following: — and one of such court officers for criminal business shall be designated by the chief justice as chief court officer of said court for criminal business, — so as to read as follows: — *Section 62.* In the municipal court of the city of Boston the court officers appointed shall not exceed eight for criminal business and four for civil business and one of such court officers for criminal business shall be designated by the chief justice as chief court officer of said court for criminal business; in the municipal court of the Roxbury district, of the South Boston district, of the Charlestown district, the East Boston district court and the district court of East Norfolk two court officers for each court may be appointed; and in each of the other district courts in the commonwealth one court officer may be appointed.

Boston municipal court for criminal business, number of court officers.

Chief court officer.

G. L. 218, § 75,
amended.

SECTION 2. Section seventy-five of said chapter two hundred and eighteen is hereby amended by striking out the last paragraph and inserting in place thereof the following paragraph: — The salary of the chief court officer of the municipal court of the city of Boston for criminal business shall be twenty-eight hundred dollars and the salary of each

of the other court officers in attendance at the civil and criminal sessions of said court, twenty-four hundred and eighty-four dollars, — so as to read as follows: — *Section 75.* The salary of the chief justice of the municipal court of the city of Boston shall be eighty-five hundred dollars, and the salary of each of the associate justices shall be eight thousand dollars; provided, that any chief justice or associate justice appointed before June fourth, nineteen hundred and twenty, who has not accepted the increase in salary provided by chapter six hundred and fourteen of the acts of nineteen hundred and twenty shall receive annually two thousand dollars less than the salaries above provided for. The salaries of the clerks and assistant clerks of said court, for civil and for criminal business, shall be as follows: clerks, five thousand dollars each; first assistant clerks, thirty-five hundred dollars each; second assistant clerks, three thousand dollars each; third and fourth assistant clerks, twenty-nine hundred dollars each; fifth, sixth and seventh assistant clerks, twenty-four hundred dollars each.

Boston municipal court, salaries.

Proviso.

The salary of the messenger of said court shall be twenty-six hundred dollars.

The salary of the chief court officer of the municipal court of the city of Boston for criminal business shall be twenty-eight hundred dollars and the salary of each of the other court officers in attendance at the civil and criminal sessions of said court, twenty-four hundred and eighty-four dollars.

SECTION 3. This act shall take effect upon its acceptance by the city council of the city of Boston, subject to the provisions of its charter; provided that such acceptance occurs prior to December thirty-first in the current year; and when so accepted, the salary of the chief court officer provided for by this act shall be paid as of the date of his designation, but in no event as of a date earlier than June first in the current year.

To be submitted to the city council, etc.
Proviso.

Approved April 13, 1921.

AN ACT AUTHORIZING THE CITY OF ATTLEBORO TO PENSION WARREN PARKER. *Chap. 285*

Be it enacted, etc., as follows:

SECTION 1. The city of Attleboro may pay to Warren Parker, for twenty-five years an attendance officer in its school department, an annual pension not exceeding six hundred dollars.

Attleboro may pension Warren Parker.

To be sub-
mitted to the
city council,
etc.
Proviso.

SECTION 2. This act shall take effect upon its acceptance by the city council of said city, subject to the provisions of its charter; provided that such acceptance occurs prior to December thirty-first in the current year.

Approved April 13, 1921.

Chap. 286 AN ACT AUTHORIZING THE CITY OF ATTLEBORO TO PENSION
HIRAM R. PACKARD.

Be it enacted, etc., as follows:

Attleboro may
pension Hiram
R. Packard.

SECTION 1. The city of Attleboro may retire Hiram R. Packard, chief engineer of its fire department, on an annual pension not exceeding six hundred dollars.

To be sub-
mitted to the
city council,
etc.
Proviso.

SECTION 2. This act shall take effect upon its acceptance by the city council of said city, subject to the provisions of its charter; provided that such acceptance occurs prior to December thirty-first in the current year.

Approved April 13, 1921.

Chap. 287 AN ACT ESTABLISHING THE OFFICE OF SECOND ASSISTANT
CLERK FOR THE FIRST DISTRICT COURT OF EASTERN
MIDDLESEX AND FOR THE THIRD DISTRICT COURT OF EAST-
ERN MIDDLESEX.

Be it enacted, etc., as follows:

G. L. 218, § 10,
amended.

SECTION 1. Chapter two hundred and eighteen of the General Laws is hereby amended by striking out section ten and inserting in place thereof the following:— *Section 10.* The clerk of a district court may, subject to the approval of the justice, appoint one or more assistant clerks, who shall be removable at his pleasure or at the pleasure of the court, for whose official acts the clerk shall be responsible and who shall be paid by him unless salaries payable by the county are authorized in this section or in section fifty-three. Any such assistant clerk may be a woman. Assistant clerks with salaries payable by the county may be appointed in the central district court of northern Essex, the municipal court of the Charlestown district, the district court of western Hampden, and in courts the judicial districts of which have, according to the national or state census last preceding, a population of sixty thousand or more. Second assistant clerks with salaries payable by the county may be appointed in the municipal court of the Roxbury district, the East Boston district court, the municipal court of the Charlestown

District courts,
appointment of
assistant clerks,
etc.

Second assist-
ant clerks, ap-
pointment, etc.

district, and, subject to the approval of the county commissioners, in the first district court of eastern Middlesex and the third district court of eastern Middlesex.

SECTION 2. This act shall take effect upon its passage.

Approved April 15, 1921.

AN ACT RELATIVE TO THE DATE OF THE MUNICIPAL ELECTION, AND TO NOMINATIONS FOR ELECTIVE OFFICES, IN THE CITY OF BOSTON.

Chap. 288

Be it enacted, etc., as follows:

SECTION 1. Chapter four hundred and eighty-six of the acts of nineteen hundred and nine, as amended in section thirty-two by section one of chapter seven hundred and thirty of the acts of nineteen hundred and fourteen, is hereby further amended by striking out said section thirty-two and inserting in place thereof the following: — *Section 32.* The regular municipal election in each year in said city shall be held on the first Tuesday after the second Monday in December.

1909, 486, § 32, etc., amended.

Date of municipal election in Boston.

SECTION 2. Section fifty-six of said chapter four hundred and eighty-six, as amended by section six of said chapter seven hundred and thirty, is hereby further amended by striking out, in the fourteenth line, the word "fifteenth", and inserting in place thereof the word: — thirteenth, — by striking out, in the nineteenth line, the word "thirteenth", and inserting in place thereof the word: — eleventh, — and also by striking out, in the twenty-second line, the word "twelfth", and inserting in place thereof the word: — tenth, — so as to read as follows: — *Section 56.* The names of candidates appearing on nomination papers shall when filed be a matter of public record; but the nomination papers shall not be open to public inspection until after certification. After such nomination papers have been filed, the election commissioners shall certify thereon the number of signatures which are the names of registered voters in the city qualified to sign the same. They shall not certify a greater number of names than are required to make a nomination, with one tenth of such number added thereto. All such papers found not to contain a number of names so certified equivalent to the number required to make a nomination shall be invalid. The election commissioner shall complete such certification on or before five o'clock P.M. on the thirteenth day preceding the city election. Such certifi-

1909, 486, § 56, etc., amended.

Nominations to be matter of public record.

Withdrawals,
objections, etc.

cation shall not preclude any voter from filing objections as to the validity of the nomination. All withdrawals and objections to such nominations shall be filed with the election commissioners on or before five o'clock P.M. on the eleventh day preceding the city election. All substitutions to fill vacancies caused by withdrawal or ineligibility shall be filed with the election commissioners on or before five o'clock P.M. on the tenth day preceding the city election.

SECTION 3. This act shall take effect upon its passage.

Approved April 15, 1921.

Chap. 289 AN ACT RELATIVE TO THE BUILDING LAWS OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

1907, 550, § 12,
etc., amended.

SECTION 1. Section twelve of chapter five hundred and fifty of the acts of nineteen hundred and seven, as amended by section one of chapter three hundred and sixty-nine of the acts of nineteen hundred and twelve, and by section two of chapter seven hundred and eighty-two of the acts of nineteen hundred and fourteen, is hereby further amended by striking out, in lines ten to eighteen, inclusive, of the last paragraph, the words "Every kitchen, kitchenette or room used or adapted to be used for cooking purposes either by coal, gas or oil stoves, in every building hereafter erected, remodelled or enlarged, shall be not less than eight feet in the least dimension. Every such kitchen, kitchenette or room to be used for cooking purposes shall be lighted and ventilated by window openings in an external wall direct to the open air, and such window openings shall equal in size in the aggregate at least one eighth of the area of the floor of such room.", and inserting in place thereof the following: —

Boston building
laws. Kitchens,
size, etc.

Every kitchen, kitchenette or room used or adapted to be used for cooking purposes either by coal, electric, gas or oil stoves in every building hereafter erected, remodelled or enlarged, shall be not less than six feet in the least dimension and have a floor area of not less than forty-eight square feet. Every such kitchen, kitchenette or room to be used or adapted to be used for cooking purposes, shall be lighted and ventilated by window openings in an external wall direct to the open air, or if such kitchen, kitchenette or room is of not more than seventy square feet in area upon a vent shaft, as defined in section forty-two and any acts amending or affecting the same, with no opening from any toilet room

into said vent shaft, and such window openings shall equal in size in the aggregate at least one eighth of the area of the floor of such room, — and also by adding at the end thereof the following: — Any alteration shall conform to requirements of this act for new buildings only to the extent of the alteration made.

Alterations.

SECTION 2. Section seventeen of said chapter five hundred and fifty, as amended by section four of chapter seven hundred and eighty-two of the acts of nineteen hundred and fourteen, by chapter one hundred and eighteen of the General Acts of nineteen hundred and sixteen, and by section seven of chapter one hundred and seventy-nine of the Special Acts of nineteen hundred and eighteen, is hereby further amended by striking out the first paragraph and inserting in place thereof the following new paragraph: — Every building hereafter erected more than seventy-five feet in height, or hereafter increased in height to more than seventy-five feet, shall be a first class building. Every second class building hereafter erected more than four stories in height, and any second class building now in existence and increased in height to more than four stories, shall have the first floor and the basement and cellar stories of first class construction, except as hereinafter otherwise mentioned for buildings for habitation. Every building for habitation hereafter erected covering more than five thousand square feet or more than five stories in height, shall be a first class building. Every building altered or enlarged and occupied, or to be occupied as a habitation to be in excess of sixty-five feet in height, or in excess of five thousand square feet in superficial area, or in excess of five stories in height, shall be a first class building. Every building hereafter erected within the building limits to be occupied as a permanent schoolhouse shall be a first class building. Every building hereafter erected as a theatre, and every building hereafter altered to be occupied as a theatre, shall be a first class building. Every building hereafter erected for, altered to, or converted to use as a moving picture house shall be a first class building. All other buildings may be of second or third class construction, — and also by striking out the second paragraph and inserting in place thereof the following new paragraph: — Except as is otherwise provided herein, buildings adapted for habitations, and not more than five stories in height, may be erected, remodelled or enlarged of second class construction, but no such building shall exceed five thousand square feet

1907, 550, § 17,
etc., amended.

Classification of
buildings.

Construction
and use of
buildings,
adapted for
habitations,
etc.

in superficial area, or sixty-five feet in height. Every such building exceeding thirty-five hundred square feet of superficial area, and every such building exceeding seventeen hundred and fifty square feet in superficial area, and more than four stories or fifty-five feet in height, shall have the first floor and basement and cellar stories of first class construction, with no openings through the first floor, except for piping; provided that stairways from the first story to the outside may penetrate the floor construction. Said stairs herein referred to are to be fireproof, separated from the basement or cellar by walls of solid masonry at least eight inches thick, with no opening to cellar or basement. The first story, or basement, or both the first story and basement in such building more than seventeen hundred and fifty square feet in superficial area so constructed, remodelled or enlarged, may be used for mercantile purposes; provided that the floors and walls separating the portion of the building used for mercantile purposes and the portion used for habitation be of first class construction with no openings, except for piping, but that stairways from the portion used for habitation to the outside may penetrate the mercantile portion. In such event, the stairs herein referred to are to be constructed of incombustible material and separated from the latter by solid masonry walls at least eight inches thick with no opening to the portion used for habitation. In such buildings where the second floor is of first class construction the requirement providing for the first floor, basement and cellar stories to be of first class construction may be omitted.

Use for mercantile purposes.

Proviso.

1907, 550, § 35, amended.

Alteration or remodelling of buildings.

First story and basement uses.

Proviso.

SECTION 3. Section thirty-five of said chapter five hundred and fifty is hereby amended by striking out the first paragraph and inserting in place thereof the following new paragraph:— Any building, except those of third class construction, within the building limits, having not more than five floors above the mean grade of all the sidewalks and covering an area of not more than seventeen hundred and fifty square feet, may be altered, remodelled or enlarged for use as a house for habitation or tenements using second class construction, — and by striking out the second paragraph and inserting in place thereof the following new paragraph:— The first story or basement or both the first story and basement in such buildings may be used for mercantile purposes; provided that the walls surrounding the mercantile portion are fire-stopped with brick, terra cotta or gypsum

tile laid in cement filled in solidly to full height between the studs, and the latter covered on both sides with metal lath and cement plaster, the soffits of stairs and the ceilings of the mercantile portion to be covered with three coat work cement plaster on metal lath, — and by striking out the fourth paragraph and inserting in place thereof the following new paragraph: — Every such building, except a single family dwelling, more than three stories in height so altered, remodelled or enlarged, shall be provided with at least two independent means of egress, at least one of which shall consist of an inside stairway, enclosed with partitions of wood studding, the spaces between the studs filled solid to full height with brick, terra cotta or gypsum blocks, laid in mortar, and both sides of partitions and soffits of stairs plastered with three coats of cement plaster on metal lath, or any enclosure of superior fire-resisting construction, satisfactory to the commissioner, all openings into said enclosure to have self-closing fireproof doors and fireproof frames. The other means of egress may be outside iron fire escape with stairs to the ground, or connecting iron balconies to an adjoining building, and each tenement above the first story shall have direct access to at least two separate means of egress, — and also by striking out the eleventh paragraph and inserting in place thereof the following new paragraph: — New buildings for habitation or tenement purposes of not more than seventeen hundred and fifty square feet area, may be built of second class construction with the same restrictions as required by the preceding paragraphs of this section referring to the alteration, remodelling and enlarging of second class buildings. The exposure required under this section shall apply to all other buildings hereafter constructed and adapted for habitation.

Means of egress.

Buildings of certain area, second class construction.

Exposure.

SECTION 4. Section thirty-eight of said chapter five hundred and fifty is hereby amended by striking out the first paragraph and inserting in place thereof the following new paragraph: — Elevators and hoists for freight which do not run above the first story may be constructed without fireproof enclosures. Freight and passenger elevators may be placed in areas or hallways where the same are continuous and unbroken, such elevators to be protected by metal grille. Except as above provided, all shafts for elevators, hoists, dumb-waiters, lifts and shafts used for lighting and ventilating or other air ducts shall be constructed of incombustible materials; provided that in second and third class buildings

1907, 550, § 38, amended.

Elevators.

Shafts, how constructed.

Proviso.

not over four stories high the shafts may be constructed with wood studding, the space between the studs filled solid the full height with brick, terra cotta or gypsum blocks laid in mortar and plastered on both sides with at least three coats of cement plaster on metal lath. The bottom of all shafts shall be fire protected. All windows, or ceiling lights opening into such shafts shall have metal or metal covered fireproof frames and sash glazed with wire glass and arranged to close automatically in case of fire. Such shafts shall be carried at least three feet above the adjoining roof and there covered with a skylight providing opening of total area equal to the area of the shaft and glazed with hammered or ribbed glass, protected by wire screens on metal supports.

1907, 550, § 42,
amended.

Vent shaft de-
fined.

1907, 550, § 43,
etc., amended.

SECTION 5. Section forty-two of said chapter five hundred and fifty is hereby amended by striking out the last sentence in clause (5.) and inserting in place thereof the following: — A vent shaft is a shaft used solely to ventilate or light water-closet compartments, bathrooms or kitchenettes.

Fire-escapes.

SECTION 6. Section forty-three of said chapter five hundred and fifty, as amended by section nine of chapter seven hundred and eighty-two of the acts of nineteen hundred and fourteen, is hereby further amended by striking out the first paragraph and inserting in place thereof the following new paragraph: — Except as provided in section thirty-five, in all tenement houses hereafter erected of the first or second class more than three stories in height and in every building hereafter enlarged and occupied or to be occupied as a tenement house more than three stories in height, there shall be provided at least one of the following means of egress in addition to the staircases, but if the first named means of egress is provided, no means of egress other than this and one other staircase need be provided and every suite shall have direct access to both such means of egress:

1907, 550, § 45,
etc., amended.

Staircases and
public halls.

SECTION 7. Section forty-five of said chapter five hundred and fifty, as amended by section ten of chapter seven hundred and eighty-two of the acts of nineteen hundred and fourteen, by section four of chapter three hundred and fifty-two of the Special Acts of nineteen hundred and fifteen, and by sections one and two of chapter four hundred and forty of the acts of nineteen hundred and twenty, is hereby further amended by striking out the first paragraph and inserting in place thereof the following new paragraph: — Every house for habitation, except a single family dwelling, hereafter erected more than three stories in height or covering

an area of more than thirty-five hundred square feet shall have a staircase designated by the commissioner, of incombustible material extending from the entrance to the roof and with a pent house constructed of incombustible material. And the said staircase shall not extend below the entrance floor level, except as an exit to the outside and shall have no opening into basement or cellar and shall be enclosed in walls constructed of incombustible material. In addition to the above staircase, all such buildings shall have a staircase enclosed as described in section forty-seven. All door openings from all stair enclosures shall have metal or metal covered self-closing doors and metal or metal covered frames. Public halls therein shall be at least three feet wide in the clear and stairs shall be at least three feet wide between the wall and the stair rail.

SECTION 8. Said chapter five hundred and fifty is hereby further amended by striking out section forty-six and inserting in place thereof the following: — *Section 46.* In tenement houses hereafter erected covering more than seven-
 1907, 550, § 46, amended.
 tenement house stairways.
 teen hundred and fifty square feet, but not more than thirty-five hundred square feet in superficial area which do not exceed three stories above the cellar or basement, there shall be at least two stairways. The stairs may be made of wood, provided that the soffits are covered with metal lath and plastered with three coats of cement plaster and provided that such stairs are properly fire-stopped at top center and bottom of each flight with brick, terra cotta or gypsum block nogging. Public halls therein shall be at least three feet wide in the clear and stairs shall be at least three feet wide between the wall and the stair rail.
 Provisos.
 Width of public halls, etc.

SECTION 9. Said chapter five hundred and fifty is hereby further amended by striking out section forty-seven and inserting in place thereof the following: — *Section 47.* In second and third class tenement houses hereafter erected and existing tenement houses hereafter altered, stair halls other than those required to be of first class construction may be enclosed with wooden stud partitions; provided that such
 1907, 550, § 47, amended.
 Stair halls, how enclosed.
 partitions are filled in solid the full height between the studs with brick, terra cotta, gypsum blocks or other filling material approved by the commissioner, all to be laid in mortar and both sides of partition and soffit of stairs plastered with three coats of cement plaster on metal lathing. All openings in these partitions are to be protected as mentioned in section thirty-five of said chapter five hundred and fifty.
 Proviso.

1907, 550, § 49,
amended.

Cellar ceilings.

SECTION 10. Said chapter five hundred and fifty is hereby further amended by striking out section forty-nine and inserting in place thereof the following: — *Section 49.* In all tenement houses of the second or third class hereafter erected except where the floor next above is first class construction, the cellar and basement ceiling shall be lathed with metal laths and plastered three coats of cement plaster.

1907, 550, § 50,
amended.

Construction of
partitions.

SECTION 11. Section fifty of said chapter five hundred and fifty is hereby amended by adding at the end thereof the following: — All such buildings having a superficial area of over thirty-five hundred square feet and all buildings more than seventeen hundred and fifty square feet in superficial area and more than four stories or fifty-five feet in height, shall have all stud partitions between suites fireproofed by filling in full height between studs with brick, terra cotta or gypsum blocks or other filling material approved by the commissioner and covering both sides of the separating partitions with metal laths and three coats of cement plaster.

1907, 550, § 60,
amended.

Inner court
vents, etc.

SECTION 12. Section sixty of said chapter five hundred and fifty is hereby amended by inserting after the words "bath rooms," in the second line, the word: — kitchenettes, — and by adding at the end thereof the following: — Vents for kitchenettes must be entirely separate from those used for water-closets and bath rooms, — so as to read as follows: — *Section 60.* Inner courts used solely for the lighting and ventilation of water-closets, bath rooms, kitchenettes, public halls, or stair halls, or for interior fire escapes, may be constructed in any tenement house; and shall be not less than fifteen square feet in area, nor less than three feet in the least horizontal dimension for buildings fifty feet or less in height. For every increase of ten feet or fraction thereof in the height of such buildings the least dimension shall be increased by one foot, and the area by not less than eight square feet. Vents for kitchenettes must be entirely separate from those used for water-closets and bath rooms.

1907, 550, § 63,
amended.

Lighting and
ventilation of
rooms.

SECTION 13. Said chapter five hundred and fifty is hereby amended by striking out section sixty-three and inserting in place thereof the following: — *Section 63.* In every tenement house hereafter erected there shall be in each room, except water-closet compartments and bath rooms, windows of a total area of at least one eighth the floor area of the room and not less than eleven square feet in area, opening directly on a street or public alley or open passageway not less than fifteen feet wide or upon a yard or court of the

dimensions hereinbefore specified, or upon a railroad right of way, cemetery or public park; and such windows shall be located so as properly to light all parts of the room. The top of at least one window shall be not less than seven feet six inches above the floor, and the upper half of it shall be made so as to open the full width.

Every alcove in every tenement house hereafter erected shall be provided with an opening into a room, such opening to be equal in area to eighty per cent of that side of the alcove in which the opening is located; and the alcove shall have at least one window of not less than fifteen square feet of glazed surface opening as provided in this section.

SECTION 14. Said chapter five hundred and fifty is hereby further amended by striking out section sixty-four and inserting in place thereof the following:— *Section 64.* In every tenement house hereafter erected all rooms, except water-closet compartments and bath rooms, shall be of the following minimum sizes: In each apartment there shall be at least one room containing not less than one hundred and twenty square feet of floor area and provided with a chimney flue and thimble, except where said room is furnished with heat from a central heating apparatus, and every other room shall contain at least seventy square feet of floor area. Each room shall be in every part not less than eight feet high from the finished floor to the finished ceiling; provided that only one half of an attic room need be eight feet high. No portion of a room in any such tenement house shall be partitioned off so as to form a room not conforming to the provisions of sections sixty-three and sixty-four, or so as to form an alcove not conforming to sections sixty-three and seventy.

SECTION 15. Section sixty-five of said chapter five hundred and fifty is hereby amended by inserting after the word "erected", in the second line, the following:— covering a superficial area of more than seventeen hundred and fifty square feet, — so as to read as follows:— *Section 65.* Except as otherwise provided in section sixty-six, in every tenement house hereafter erected, covering a superficial area of more than seventeen hundred and fifty square feet, every public hall shall have at least one window opening directly upon a street, a public alley or open passageway not less than ten feet in width, a railroad right of way, a cemetery or a public park, or upon a yard or court or a vent court as provided in section sixty. Either such window shall be at the end of said hall, with the plane of the window substantially at

Alcove openings.

1907, 550, § 64, amended.

Size of rooms.

Proviso.

1907, 550, § 65, amended.

Public halls. Window openings.

right angles to the axis of the hall, or there shall be at least one window opening as above prescribed in every twenty feet in length or fraction thereof of the hall; but this provision for one window in every twenty feet of hall-way shall not apply to that part of the entrance hall between the entrance and the first flight of stairs, provided that the entrance door contains not less than five square feet of glazed surface. At least one of the windows provided to light each public hall shall be at least two feet six inches wide and five feet high, measured between the stop beads.

Proviso.

Separate hall,
definition.

Any part of a hall which is shut off from any other part of said hall by a door or doors shall be deemed a separate hall within the meaning of this section.

1907, 550, § 66,
amended.

SECTION 16. Section sixty-six of said chapter five hundred and fifty is hereby amended by inserting after the word "erected", in the first line, the following:— covering a superficial area of more than seventeen hundred and fifty square feet, — so as to read as follows:— *Section 66.* In every tenement house hereafter erected covering a superficial area of more than seventeen hundred and fifty square feet, the aggregate area of windows to light or ventilate stair halls on each floor shall be at least fifteen square feet: *provided, however,* that when there shall be, within the space enclosed by the stairway and its landings, from the second story upward, an open area for light and ventilation whose least horizontal dimension shall be equal to the width of the stairs, but in no case less than three feet, then the windows required in sections sixty-five and sixty-six may be omitted.

Size of windows
for stair halls.

Proviso.

Ventilating
skylight.

There shall be in the roof, directly over each stair well, in all tenement houses hereafter erected, without windows as above provided, a ventilating skylight provided with ridge ventilators, having a minimum opening of forty square inches, or else such skylight shall be provided with fixed or movable louvres. The glazed roof of the skylight shall not be less than twenty square feet in area.

Approved April 15, 1921.

Chap. 290 AN ACT REQUIRING THAT APPLICANTS FOR ADMISSION AS ATTORNEYS AT LAW BE CITIZENS OF THE UNITED STATES.

Be it enacted, etc., as follows:

G. L. 221, § 37,
amended.

SECTION 1. Section thirty-seven of chapter two hundred and twenty-one of the General Laws is hereby amended by

striking out, in the first and second lines, the words "or an alien who has made the primary declaration of intention to become a citizen thereof," so as to read as follows: — *Section 37.* A citizen of the United States, whether man or woman, may, if over twenty-one, file a petition in the supreme judicial or superior court to be examined for admission as an attorney at law, and, if found qualified, to be admitted as such; whereupon, unless the court otherwise orders, the petition shall be referred to the board of bar examiners to ascertain his acquirements and qualifications. If the board reports that the petitioner is of good moral character and of sufficient acquirements and qualifications, and recommends his admission, he shall be admitted unless the court otherwise determines, and thereafter may practice in all the courts of the commonwealth. The petitioner shall pay to the clerk of the court in which his petition is filed a fee of fifteen dollars upon the entry thereof, and a further fee of ten dollars upon the entry of any subsequent petition. Such fees shall be paid over to the commonwealth.

Citizens may petition for examination for admission as an attorney, etc.

Fees.

SECTION 2. Section thirty-nine of said chapter two hundred and twenty-one is hereby amended by striking out, in the first and second lines, the words "or an alien who has made the primary declaration of intention to become a citizen thereof", so as to read as follows: — *Section 39.* A citizen of the United States, whether man or woman, who has been admitted as an attorney or counsellor of the highest judicial court of any state, district, territory or country of which he was an inhabitant may, upon petition to the supreme judicial or the superior court be admitted to practice in all the courts of the commonwealth upon the production of satisfactory evidence of his good moral character and professional qualifications.

G. L. 221, § 39, amended.

Admission of attorneys from other states, etc.

Approved April 15, 1921.

AN ACT AUTHORIZING THE TRUSTEES OF THE NORFOLK COUNTY AGRICULTURAL SCHOOL TO MAKE CERTAIN IMPROVEMENTS AT THE SAID SCHOOL.

Chap. 291

Be it enacted, etc., as follows:

SECTION 1. The trustees of the Norfolk County Agricultural School may expend a sum not exceeding fifteen thousand five hundred dollars, to be provided by the county of Norfolk, for the purpose of constructing new buildings at said school.

Norfolk County Agricultural School. New buildings.

Issue of bonds
or notes au-
thorized, etc.

SECTION 2. For the purposes aforesaid, the county commissioners of said county may from time to time borrow upon the credit of the county sums not exceeding fifteen thousand five hundred dollars in the aggregate and may issue bonds or notes of the county therefor. Such bonds or notes shall be signed by the treasurer of the county and countersigned by a majority of the county commissioners, shall be payable by such annual payments, beginning not more than one year after the date thereof, as will extinguish each loan within five years from its date, and the annual payment upon the loan in any year shall not be less than the amount of the principal of the loan payable in any subsequent year. Each authorized issue shall constitute a separate loan. The county may sell the said securities at public or private sale upon such terms and conditions as the county commissioners may deem proper but not for less than their par value, and the proceeds shall be used only for the purposes herein specified and shall be paid to the trustees of the said school by the treasurer of the county upon their requisitions.

Payment of
loan.

SECTION 3. The county commissioners, at the time of authorizing the said loan, shall provide for the payment thereof in accordance with section two and a sum sufficient to pay the interest as it accrues on the bonds or notes issued as aforesaid and to make such payments on the principal as may be required by this act, shall be levied as a part of the county tax of the said county annually thereafter, in the same manner as other taxes, until the debt incurred by said loan or loans is extinguished.

To be sub-
mitted to Nor-
folk county
commissioners.
Proviso.

SECTION 4. This act shall take effect upon its acceptance by the county commissioners of Norfolk county; provided that such acceptance occurs prior to December thirty-first in the current year.

Approved April 15, 1921.

Chap. 292 AN ACT REGULATING THE RIGHT OF SAVINGS BANKS AND SAVINGS DEPARTMENTS OF TRUST COMPANIES TO REQUIRE NOTICE OF WITHDRAWAL OF DEPOSITS.

Be it enacted, etc., as follows:

G. L. 168, § 51,
amended.

Savings banks.
Withdrawal of
deposits, right
to require
notice of, regu-
lated.

SECTION 1. Section fifty-one of chapter one hundred and sixty-eight of the General Laws is hereby amended by adding at the end thereof the following: — Whenever such corporation requires said notice from ten or more depositors on any one day, it shall be deemed to have made a general require-

ment and it shall file within forty-eight hours thereafter a written notice setting forth the terms of the requirement with the commissioner. Until such general requirement has been removed and notice thereof filed with the commissioner, no payment shall be made to any depositor on account of his deposit other than in accordance with the general requirement as set forth in the notice filed with the commissioner, except that with the approval of the commissioner, amounts not exceeding, in the aggregate, one hundred dollars may be paid to each depositor.

Such corporation shall not advertise for deposits in newspapers, by posters or other written solicitation, while such general requirement is in effect, unless the advertisement shall contain, in type not smaller than the largest type thereof, a statement that such deposits may not be withdrawn for the period set forth in the notice of said requirement.

Advertising for deposits regulated.

SECTION 2. Section sixty-six of chapter one hundred and seventy-two of the General Laws is hereby amended by adding at the end thereof the following: — Whenever such corporation requires said notice from ten or more depositors on any one day, it shall be deemed to have made a general requirement and it shall file within forty-eight hours thereafter a written notice setting forth the terms of the requirement with the commissioner. Until such general requirement has been removed and notice thereof filed with the commissioner, no payment shall be made to any depositor in said savings department on account of his deposit other than in accordance with the general requirement as set forth in the notice filed with the commissioner, except that with the approval of the commissioner, amounts not exceeding, in the aggregate, one hundred dollars may be paid to each depositor.

G. L. 172, § 66, amended.

Trust companies, savings departments. Withdrawal of deposits, right to require notice of, regulated.

Such corporation shall not advertise for deposits in newspapers, by posters or other written solicitation, while such general requirement is in effect, unless the advertisement shall contain, in type not smaller than the largest type thereof, a statement that such deposits may not be withdrawn for the period set forth in the notice of said requirement.

Advertising for deposits regulated.

Approved April 15, 1921.

Chap.293 AN ACT RELATIVE TO THE DISMISSAL OF PUBLIC SCHOOL
TEACHERS AND SUPERINTENDENTS.

Be it enacted, etc., as follows:

G. L. 71, § 42,
amended.

Dismissal of
public school
teachers and
superintend-
ents, etc.

Section forty-two of chapter seventy-one of the General Laws is hereby amended by inserting after the word "proposed", in the tenth line, the following:— ; nor unless, if he so requests, he has been given a hearing before the school committee, at which he may be accompanied by a witness, — so as to read as follows:— *Section 42.* The school committee may dismiss any teacher, but in every town except Boston no teacher or superintendent, other than a union or district superintendent, shall be dismissed unless by a two thirds vote of the whole committee. In every such town a teacher or superintendent employed at discretion under the preceding section shall not be dismissed unless at least thirty days prior to the meeting, exclusive of customary vacation periods, at which the vote is to be taken, he shall have been notified of such intended vote, nor unless, if he so requests, he shall have been given a statement by the committee of the reasons for which his dismissal is proposed; nor unless, if he so requests, he has been given a hearing before the school committee, at which he may be accompanied by a witness; nor unless, in the case of a teacher, the superintendent shall have given the committee his recommendations thereon.

Suspension, etc.

Neither this nor the preceding section shall affect the right of a committee to suspend a teacher or superintendent for unbecoming conduct, or to dismiss a teacher whenever an actual decrease in the number of pupils in the schools of the town renders such action advisable. No teacher or superintendent who has been lawfully dismissed shall receive compensation for services rendered thereafter, or for any period of lawful suspension followed by dismissal.

Approved April 15, 1921.

Chap.294 AN ACT RELATIVE TO THE FORM OF NOTES ISSUED BY
TOWNS AND DISTRICTS.

Be it enacted, etc., as follows:

G. L. 44, new
section after
§ 24.

Form of notes
issued by towns
and districts.

Chapter forty-four of the General Laws is hereby amended by inserting after section twenty-four the following new section:— *Section 24A.* Town and district notes, when issued for a serial loan, may be made payable to "bearer",

and when so issued section twenty-four may be construed by the director as being properly complied with in so far as it relates to the proper filling in of the space provided for the name of the purchaser of the loan, and he may certify such notes; provided that before certification there shall be filed with him by the town or district treasurer, as the case may be, the name of the purchaser of such loan.

Proviso.

Approved April 15, 1921.

AN ACT RELATING TO THE VALUATION OF SECURITIES HELD BY FRATERNAL BENEFIT SOCIETIES. Chap.295

Be it enacted, etc., as follows:

Chapter one hundred and seventy-six of the General Laws is hereby amended by inserting after section thirty-nine the following new section: — *Section 39A.* Any society may, in the annual statement required by section thirty-eight, value its bonds or other evidences of debt having a fixed term and rate and not in default as to principal or interest and if amply secured, in accordance with the following rule: — If purchased at par, at the par value; if purchased above or below par, on the basis of the purchase price adjusted so as to bring the value to par at maturity and so as to yield meantime the effective rate of interest at which the purchase was made; provided that the purchase price shall in no case be taken at a higher figure than the actual market value at the time of purchase, and provided, further, that the commissioner shall have full discretion in determining the method of calculating values according to the foregoing rule; and provided, also, that any society may return such bonds or other evidences of debt at either their market or their book value but in no event at any aggregate value exceeding the aggregate of the values calculated according to the foregoing rule.

G. L. 176, new section after § 39.

Valuation of securities held by fraternal benefit societies.

Provisos.

Approved April 15, 1921.

AN ACT RELATIVE TO HIGH SCHOOL TRANSPORTATION IN TOWNS OF LESS THAN FIVE HUNDRED FAMILIES AND TO STATE AID THEREFOR. Chap.296

Be it enacted, etc., as follows:

SECTION 1. Chapter seventy-one of the General Laws is hereby amended by striking out section six and inserting in place thereof the following: — *Section 6.* If a town of less than five hundred families or householders, according to such

G. L. 71, § 6, amended.

Provisions for towns not maintaining high schools.

census, does not maintain a public high school offering four years of instruction, it shall pay the tuition of any pupil who resides therein and obtains from its school committee a certificate to attend a high school of another town included in the list of high schools approved for this purpose by the department. Such a town shall also, through its school committee, provide, when necessary, for the transportation of such a pupil at cost up to forty cents for each day of actual attendance, and it may expend more than said amount. The department shall approve the high schools which may be attended by such pupils, and it may, for this purpose, approve a public high school in an adjoining state. Whenever, in the judgment of the department, it is expedient that such a pupil should board in the town of attendance the town of residence may, through its school committee, pay toward such board, in lieu of transportation, such sum as the said committee may fix.

Remedy if school committee refuses certificate, etc.¹

If the school committee refuses to issue a certificate as aforesaid, application may be made to the department, which, if it finds that the educational needs of the pupil in question are not reasonably provided for, may issue a certificate having the same force and effect as if issued by the said committee. The application shall be filed with the superintendent of schools of the town of residence, and by him transmitted forthwith to the department with a report of the facts relative thereto.

G. L. 71, § 7, amended.

SECTION 2. Section seven of said chapter seventy-one is hereby amended by striking out, in the twelfth line, the words "one dollar and fifty cents per week", and inserting in place thereof the words: — forty cents for each day, — so as to read as follows: — *Section 7.* If the expenditure per thousand dollars valuation from the proceeds of local taxation for the support of public schools, made by any town of less than five hundred families or householders for the three town fiscal years preceding any school year, averaged more than four and not more than five dollars, the commonwealth shall reimburse the town for one half the amount paid by it during said school year for transportation or board in accordance with the preceding section. If said average was more than five and not more than six dollars, the reimbursement shall be for three fourths of said amount, or if said average was more than six dollars, the reimbursement shall be for the entire sum. Such reimbursement shall not be based on the excess of any amount above forty cents for each

State reimbursement to small towns for transportation, etc., of high school pupils.

day of actual attendance of any pupil, and all expenditures for which reimbursement is claimed shall be subject to approval by the department.

SECTION 3. This act shall apply to expenditures for transportation incurred on and after September first, nineteen hundred and twenty-one. *Approved April 15, 1921.*

When act shall apply.

AN ACT RELATIVE TO THE AMOUNT OF THE CAPITAL STOCK OF CERTAIN CO-OPERATIVE CORPORATIONS. *Chap.297*

Be it enacted, etc., as follows:

Chapter one hundred and fifty-seven of the General Laws is hereby amended by striking out section four and inserting in place thereof the following:— *Section 4.* The capital stock of a co-operative corporation formed under section three shall not be less than one hundred dollars nor more than two hundred thousand dollars. No stockholder shall own shares of a greater par value than one tenth of the total par value of the capital stock, nor shall any member be entitled to more than one vote on any subject arising in the management of the corporation. *Approved April 15, 1921.*

G. L. 157, § 4, amended.

Capital stock of certain co-operative associations.

AN ACT RELATIVE TO THE AUTHORITY OF THE SUPERVISOR OF ADMINISTRATION TO ORDER CHANGES IN THE METHODS OF DISPOSING OF CERTAIN EXCESS SUPPLIES. *Chap.298*

Be it enacted, etc., as follows:

Section seven of chapter seven of the General Laws is hereby amended by inserting after the word "handling", in the fourth line, the words: — and the sale and disposal of, — so as to read as follows:— *Section 7.* The supervisor, after a hearing before the governor and council given to the officials concerned, may, with the approval of the governor and council, order changes consistent with law in the methods of purchasing and handling and the sale and disposal of stores, supplies, materials and equipment in any or all state departments, offices or commissions, and may make orders, rules and regulations consistent with law governing the same. Copies of orders or rules and regulations so made shall be transmitted to the officials concerned. Any appointed official failing to comply with any order, rule or regulation made hereunder may be removed by the governor, with the advice and consent of the council. *Approved April 15, 1921.*

G. L. 7, § 7, amended.

Supervisor of administration to make changes in methods of purchasing and disposing of supplies.

Penalty.

Chap.299 AN ACT AUTHORIZING THE NONOTUCK SAVINGS BANK IN THE CITY OF NORTHAMPTON TO ACQUIRE REAL ESTATE SUITABLE FOR THE TRANSACTION OF ITS BUSINESS.

Be it enacted, etc., as follows:

Nonotuck Savings Bank, Northampton, may acquire certain real estate.

The Nonotuck Savings Bank in the city of Northampton, incorporated by chapter seventy-two of the acts of eighteen hundred and ninety-nine, may invest its deposits, to an amount not exceeding one hundred and fifty thousand dollars, in the purchase of a site and the erection or preparation of a suitable building for the transaction of its business.

Approved April 15, 1921.

Chap.300 AN ACT ESTABLISHING THE SALARY OF THE TREASURER OF THE COUNTY OF NANTUCKET.

Be it enacted, etc., as follows:

G. L. 35, § 6, amended.

Salaries of certain county treasurers.

SECTION 1. Chapter thirty-five of the General Laws is hereby amended by striking out section six and inserting in place thereof the following: — *Section 6.* Sections four and five shall not apply to Suffolk, Nantucket and Dukes county. The salary of the treasurer of Dukes county shall be five hundred dollars, and the salary of the treasurer of Nantucket county shall be two hundred dollars, payable by their respective counties in full for all services performed by them.

To be submitted to Nantucket county commissioners.
Proviso.

SECTION 2. This act shall take effect upon its acceptance by the county commissioners of Nantucket county; provided that such acceptance occurs prior to December thirty-first in the current year.

Approved April 15, 1921.

Chap.301 AN ACT AUTHORIZING THE CITY OF ATTLEBORO TO INCUR INDEBTEDNESS FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

Attleboro School Loan, Act of 1921.

SECTION 1. For the purpose of purchasing or otherwise acquiring land, and for the purpose of constructing school buildings or additions to school buildings where such additions increase the floor space, and for the purchase of original equipment and furnishings for said buildings or additions, the city of Attleboro may from time to time borrow such sums as may be necessary, not exceeding in the aggregate, one hundred and seventy-five thousand dollars, and may issue bonds or notes therefor which shall bear on their face

the words, Attleboro School Loan, Act of 1921. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall otherwise be subject to chapter forty-four of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved April 20, 1921.

AN ACT AUTHORIZING THE TRUSTEES OF THE ESSEX COUNTY AGRICULTURAL SCHOOL TO MAKE CERTAIN IMPROVEMENTS AT THE SAID SCHOOL. Chap. 302

Be it enacted, etc., as follows:

SECTION 1. The trustees of the Essex County Agricultural School may, subject to the approval of the department of education, expend a sum not exceeding twenty-five thousand dollars, to be provided by the county of Essex, for the purpose of constructing a greenhouse, enlarging the kitchen of the home-making school and building an ice pond at the said school.

Essex County Agricultural School. Certain improvements authorized.

SECTION 2. For the purposes aforesaid, the county commissioners of said county may from time to time borrow upon the credit of the county sums not exceeding twenty-five thousand dollars in the aggregate and may issue bonds or notes of the county therefor. Such bonds or notes shall be signed by the treasurer of the county and countersigned by a majority of the county commissioners, shall be payable by such annual payments, beginning not more than one year after the date thereof, as will extinguish each loan within five years from its date, and the annual payment upon the loan in any year shall not be less than the amount of the principal of the loan payable in any subsequent year. Each authorized issue shall constitute a separate loan. The county may sell the said securities at public or private sale upon such terms and conditions as the county commissioners may deem proper but not for less than their par value, and the proceeds shall be used only for the purposes herein specified and shall be paid to the trustees of the said school by the treasurer of the county upon their requisitions.

Issue of bonds or notes authorized, etc.

SECTION 3. The county commissioners, at the time of authorizing the said loan, shall provide for the payment thereof in accordance with section two, and a sum sufficient to pay the interest as it accrues on the bonds or notes issued as aforesaid and to make such payments on the principal as

Payment of loan.

may be required by this act, shall be levied as a part of the county tax of the said county annually thereafter, in the same manner as other taxes, until the debt incurred by said loan or loans is extinguished.

To be submitted to Essex county commissioners. Proviso.

SECTION 4. This act shall take effect upon its acceptance by the county commissioners of Essex county; provided that such acceptance occurs prior to December thirty-first in the current year.

Approved April 21, 1921.

Chap. 303 AN ACT REGULATING THE MANUFACTURE OR BOTTLING OF CERTAIN NON-ALCOHOLIC BEVERAGES.

Be it enacted, etc., as follows:

G. L. 94, new sections after § 10.

Non-alcoholic beverages, manufacture or bottling of regulated.

Boards of health of cities and towns, duties.

Contamination, etc., of materials.

Rules and regulations.

Chapter ninety-four of the General Laws is hereby amended by inserting after section ten and under the heading, Non-Alcoholic Beverages, the five following sections: —

Section 10A. Boards of health of cities and towns may annually grant permits to engage in the business of the manufacture or bottling of carbonated non-alcoholic beverages, soda waters, mineral or spring waters and may fix fees for said permits not to exceed ten dollars. The provisions of this section and the following four sections shall not apply to persons registered under sections thirty-seven to forty, inclusive, of chapter one hundred and twelve.

Section 10B. The board of health shall, from time to time, examine the premises of any person granted a permit under the preceding section, and if such premises or the equipment used therein in connection with the business of such person is found to be in an unsanitary condition, the board may revoke such permit after a hearing, ten days' notice of which shall be given such person.

Section 10C. All materials used in the manufacture of beverages specified in section ten A shall be stored, handled, transported and kept in such a manner as to protect them from spoilage, contamination and unwholesomeness. No ingredient or material, including water, shall be used in the manufacture or bottling of any such beverage which is spoiled or contaminated, or which may render the product unwholesome, unfit for food, or injurious to health. Persons granted permits under section ten A, shall comply with sections one hundred and eighty-six to one hundred and ninety-six, inclusive.

Section 10D. The department of public health and local boards of health may make rules and regulations to

carry out the three preceding sections. *Section 10E.* Any^{Penalty.} person who engages in the business of the manufacture or bottling of carbonated non-alcoholic beverages, soda waters, mineral or spring waters without the permit provided for in section ten A or who violates any provision of sections ten A to ten D, inclusive, or of any rule or regulation made thereunder, shall be punished for a first offence by a fine of not more than one hundred dollars and for a subsequent offence by a fine of not more than five hundred dollars.

Approved April 21, 1921.

AN ACT INCREASING THE PENALTY FOR THE OPERATION OF
MOTOR VEHICLES AFTER THE SUSPENSION OR REVOCATION
OF LICENSES OR CERTIFICATES OF REGISTRATION OR AFTER
THE SUSPENSION OF THE RIGHT TO OPERATE THE SAME. *Chap. 304*

Be it enacted, etc., as follows:

Section twenty-three of chapter ninety of the General Laws is hereby amended by inserting after the word "revoked", in the seventh line, the words: — shall be punished for a first offence by a fine of not less than fifty nor more than one hundred dollars or by imprisonment for not more than ten days, or both, and for any subsequent offence by imprisonment for not less than ten days nor more than one year, — so as to read as follows: — *Section 23.* Any person convicted of operating a motor vehicle after his license to operate has been suspended or revoked or after notice of the suspension of his right to operate a motor vehicle without a license has been issued by the registrar and received by such person or by his agent or employer, and any person convicted of operating or causing or permitting any other person to operate a motor vehicle after the certificate of registration for such vehicle has been suspended or revoked, shall be punished for a first offence by a fine of not less than fifty nor more than one hundred dollars or by imprisonment for not more than ten days, or both, and for any subsequent offence by imprisonment for not less than ten days nor more than one year, and any person who attaches or permits to be attached to a motor vehicle a number plate assigned by the registrar to another vehicle, or who obscures or permits to be obscured the figures on any number plate attached to any motor vehicle, or who fails to display on a motor vehicle the number plate and the register number duly issued therefor, with intent to conceal the identity of such motor vehicle,

G. L. 90, § 23,
amended.

Penalty for
certain viola-
tions of motor
vehicle laws.

shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than ten days, or both.

Approved April 21, 1921.

Chap.305 AN ACT PROVIDING FOR A THIRD ASSISTANT CLERK OF COURTS FOR THE COUNTY OF HAMPDEN.

Be it enacted, etc., as follows:

G. L. 221, § 4,
amended.

Section four of chapter two hundred and twenty-one of the General Laws is hereby amended by striking out, in the ninth line, the word "and", and inserting in place thereof a comma, and also by inserting after the word "assistant", at the end of the ninth line, the words: — and, subject to the approval of the county commissioners, a third assistant, who may be a woman, — so as to read as follows: — *Section 4.* The justices of the supreme judicial court shall appoint for a term of three years from the date of their appointment, and may remove, assistant clerks of courts, as follows:

Supreme Ju-
dicial court,
justices may
appoint, etc.,
assistant clerks
of courts.

For the county of —

Barnstable, an assistant, who may be a woman;

Bristol, an assistant;

Essex, an assistant, a second assistant, a third assistant and a fourth assistant;

Hampden, an assistant, a second assistant and, subject to the approval of the county commissioners, a third assistant, who may be a woman;

Middlesex, an assistant, a second assistant, a third assistant and a fourth assistant;

Norfolk, an assistant;

Plymouth, an assistant;

Suffolk, an assistant of the supreme judicial court;

Worcester, an assistant, a second assistant and a third assistant.

Assistant clerks of courts except in Suffolk county shall act as assistant clerks of the supreme judicial court, the superior court and the county commissioners.

Approved April 21, 1921.

Chap.306 AN ACT TO PROVIDE THAT THE ASSISTANT COMMISSIONER OF THE DEPARTMENT OF LABOR AND INDUSTRIES SHALL BE A WOMAN AND TO DEFINE HER DUTIES.

Be it enacted, etc., as follows:

G. L. 23, § 1,
amended.

SECTION 1. Section one of chapter twenty-three of the General Laws is hereby amended by striking out, in the

fourth line, the word "may", and inserting in place thereof the word: — shall, — so as to read as follows: — *Section 1.* There shall be a department of labor and industries, under the supervision and control of a commissioner of labor and industries, in this chapter called the commissioner, an assistant commissioner, who shall be a woman, and three associate commissioners, one of whom shall be a representative of labor and one a representative of employers of labor.

Department of
labor and in-
dustries.
Administration.

SECTION 2. Section three of said chapter twenty-three is hereby amended by inserting after the word "of", in the ninth line, the words: — the assistant commissioner and, — by inserting after the word "commissioners", in the thirteenth line, the words: — and the assistant commissioner, — and by inserting after the word "designate", in the fourteenth line, the words: — the assistant commissioner or, — so as to read as follows: — *Section 3.* The commissioner shall be the executive and administrative head of the department. He shall have charge of the administration and enforcement of all laws, rules and regulations which it is the duty of the department to administer and enforce, and shall direct all inspections and investigations except as otherwise provided. He shall organize in the department a division of standards and such other divisions as he may from time to time determine, and may assign the officers and employees of the department thereto. He shall prepare for the consideration of the assistant commissioner and the associate commissioners rules and regulations for the conduct of the department and all other rules and regulations which the department is authorized by law to make, and they shall, except as otherwise provided, take effect when approved by the associate commissioners and the assistant commissioner, or upon such date as they determine. The commissioner may designate the assistant commissioner or an associate commissioner to discharge the duties of the commissioner during his absence or disability.

G. L. 23, § 3,
amended.

Commissioner,
duties.

SECTION 3. Section four of said chapter twenty-three is hereby amended by inserting after the word "commissioner", in the first line, the words: — , assistant commissioner, — so as to read as follows: — *Section 4.* The commissioner, assistant commissioner and associate commissioners may, with the approval of the governor and council, appoint, and fix the salaries of, not more than five directors, and may, with like approval, remove them. One of them, to be known as the director of standards, shall have charge of the division of

G. L. 23, § 4,
amended.

Directors.
Other ap-
pointees.

standards, and each of the others shall be assigned to take charge of a division. Except as otherwise provided in section eleven, the commissioner may employ and remove such experts, inspectors, investigators, clerks and other assistants as the work of the department may require, and fix their compensation. Four inspectors shall be men who, before their employment as such, have had at least three years' experience as building construction workmen. The commissioner may require that certain inspectors in the department, not more than seven in number, shall be persons qualified by training and experience in matters relating to health and sanitation. The commissioner may employ temporarily, from time to time, such persons to act as surveyors of lumber as he may find necessary for making the surveys applied for, and such employment shall be exempt from chapter thirty-one. He may fix their compensation and, subject to his approval, they may be allowed reasonable expenses incurred in the performance of their official duties.

G. L. 23, § 5,
amended.

SECTION 4. Section five of said chapter twenty-three is hereby amended by inserting after the word "commissioner", in the seventh and eighth lines, the words:—, assistant commissioner, — so as to read as follows:— *Section 5.* All directors, inspectors and other permanent employees of the department shall devote their whole time to the affairs of the department; and all directors and inspectors and such other employees as may be designated by the commissioner shall, before entering upon their duties, be sworn to the faithful performance thereof. The number of inspectors heretofore authorized by law may be increased only with the approval of the governor and council. The commissioner, assistant commissioner and associate commissioners shall determine from time to time how many of the inspectors employed shall be women.

G. L. 149, § 7,
amended.

SECTION 5. Section seven of chapter one hundred and forty-nine of the General Laws is hereby amended by inserting after the word "commissioner", in the first line, the words:—, assistant commissioner, — so as to read as follows:— *Section 7.* The commissioner, assistant commissioner and associate commissioners of the department may appoint committees, on which employers and employees shall be represented, to make such investigations and recommend rules and regulations.

Committees to
recommend
rules.

G. L. 149, § 8,
amended.

SECTION 6. Section eight of said chapter one hundred and forty-nine is hereby amended by inserting after the word

“commissioners”, in the fifth and eighth lines, the words: — and the assistant commissioner, — so as to read as follows: — *Section 8.* Before adopting any rule or regulation under section six, a public hearing shall be given, and not less than ten days before the hearing a notice thereof shall be published in at least three newspapers, of which one shall be published in Boston. Such rules or regulations shall, when approved by the associate commissioners and the assistant commissioner, be published in like manner, and, subject to section thirty-seven of chapter thirty, shall take effect thirty days after such publication or at such later time as the associate commissioners and the assistant commissioner may fix. Before adopting any order a hearing shall be given thereon, of which a notice of not less than ten days shall be given to the persons affected thereby.

Hearings on proposed rules.

SECTION 7. Section fifteen of said chapter one hundred and forty-nine is hereby amended by inserting after the word “commissioners”, in the first line, the words: — and the assistant commissioner, — so as to read as follows: — *Section 15.* With the approval of the associate commissioners and the assistant commissioner, the commissioner may divide the commonwealth into inspection districts, and assign the necessary number of inspectors thereto.

G. L. 149, § 15, amended.

Inspection districts.

SECTION 8. Section seventeen of said chapter one hundred and forty-nine is hereby amended by inserting after the word “commissioner,” in the second line, the words: — the assistant commissioner and the associate commissioners, — so as to read as follows: — *Section 17.* For the enforcement of the provisions of this chapter, the commissioner, the assistant commissioner and the associate commissioners, the director of the division of industrial safety and inspectors may enter all buildings and parts thereof used for industrial purposes and examine the methods of protection from accident, the means of escape from fire, the sanitary provisions, the lighting and means of ventilation, and make investigations as to the employment of women and minors and as to compliance with all provisions of this chapter.

G. L. 149, § 17, amended.

Powers of inspection.

Approved April 25, 1921.

AN ACT PROVIDING FOR BIENNIAL MUNICIPAL ELECTIONS IN THE CITY OF BROCKTON. *Chap. 307*

Be it enacted, etc., as follows:

SECTION 1. Beginning with the first Tuesday after the first Monday in December in the year nineteen hundred and

City of Brockton, biennial municipal elections.

twenty-three, municipal elections in the city of Brockton for the choice of mayor, aldermen, common councilmen and members of the school committee, shall be held biennially on the first Tuesday after the first Monday of December in every odd numbered year.

Mayor, aldermen and councilmen, election, etc.

Inauguration meeting.

Proviso.

School committee, election, membership, etc.

SECTION 2. At the biennial municipal election in nineteen hundred and twenty-three and at each biennial municipal election thereafter, the mayor, aldermen and common councilmen of said city shall be elected for terms of two years and until their successors are duly elected and qualified. The inauguration meeting of the city government shall be held at ten o'clock in the morning on the first Monday of January in the year following the election of its members; provided that, if the first Monday of January falls on a holiday, the said meeting shall take place at the same time on the following day.

SECTION 3. The three members of the school committee elected at the municipal election in the current year shall continue to hold office until the first Monday in January, nineteen hundred and twenty-six. At the municipal election to be held in the year nineteen hundred and twenty-two, three members of said committee shall be elected who shall hold office until the first Monday of January in the year nineteen hundred and twenty-eight. At the biennial municipal election to be held in the year nineteen hundred and twenty-three and at each biennial municipal election thereafter, three members of the school committee shall be elected for terms of six years each, from the first Monday of January following their election. In all cases, the members so elected shall continue to serve until the election and qualification of their successors.

To be submitted to voters, etc.

SECTION 4. This act shall be submitted to the voters of the city at the municipal election in the current year in the form of the following question, to be placed upon the official ballot: "Shall an act passed by the general court in the year nineteen hundred and twenty-one, providing for biennial municipal elections in the city of Brockton, be accepted?" If a majority of the voters voting thereon vote in the affirmative in answer to said question then this act shall take effect, but not otherwise.

Approved April 26, 1921.

AN ACT AUTHORIZING THE COUNTY OF SUFFOLK TO PENSION *Chap.308*
TIMOTHY R. SULLIVAN.

Be it enacted, etc., as follows:

SECTION 1. The county of Suffolk shall, at his request, retire Timothy R. Sullivan, a janitor in the Suffolk county court house, who was injured by the explosion of a bomb in said court house on March sixteenth, nineteen hundred and seventeen, while in the performance of his duty, on an annual pension equal to one half the compensation received by him at the time of his retirement, payable monthly.

Suffolk county
may pension
Timothy R.
Sullivan.

SECTION 2. This act shall take effect upon its acceptance by the city council of the city of Boston, subject to the provisions of its charter; provided that such acceptance occurs prior to December thirty-first in the current year.

To be sub-
mitted to the
city council,
etc.
Proviso.

Approved April 26, 1921.

AN ACT ENABLING THE COUNTY OF MIDDLESEX TO MAKE *Chap.309*
IMPROVEMENTS AT THE COUNTY BUILDINGS IN THE CITY
OF CAMBRIDGE.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of providing adequate accommodations at the county buildings in Cambridge, the county commissioners of the county of Middlesex may make additions, and may alter, remodel, furnish and equip said buildings, provide a covered passageway from the jail and house of correction to the court house building together with suitable detention rooms, provide new engines for the power plant at the house of correction, and do all things incidental to said purposes.

Middlesex
county build-
ings in Cam-
bridge, im-
provements
authorized.

SECTION 2. For the purposes aforesaid, the said commissioners may borrow from time to time on the credit of the county sums not exceeding, in the aggregate, one hundred thousand dollars and may issue bonds or notes of the county therefor. Such bonds or notes shall be payable by such annual payments, beginning not more than one year after the date of each loan, as will extinguish the loan within twenty years from its date, and the amount of such annual payment in any year shall not be less than the amount of the principal of the loan payable in any subsequent year. The county may sell the said securities at public or private sale, upon such terms and conditions as it may deem proper, but

Issue of bonds
or notes, etc.

not for less than their par value, and the proceeds, except premiums, shall be used only for the purposes herein specified. Premiums received on account of loans hereby authorized may be used to pay the cost of issuing the bonds or notes, and any balance shall be held and applied to the first bond or note maturing.

To be submitted to Middlesex county commissioners, etc.
Proviso.

SECTION 3. This act shall take effect upon its acceptance by the county commissioners of the county of Middlesex; provided that such acceptance occurs prior to December thirty-first in the current year. *Approved April 26, 1921.*

Chap.310 AN ACT RELATIVE TO THE FILING OF REPORTS OF MEDICAL EXAMINATIONS UNDER THE WORKMEN'S COMPENSATION LAWS WITH THE DEPARTMENT OF INDUSTRIAL ACCIDENTS.

Be it enacted, etc., as follows:

G. L. 152, § 45, amended.

Workmen's compensation. Examination by physician.

Copy of report to be filed.

Chapter one hundred and fifty-two of the General Laws is hereby amended by striking out section forty-five and inserting in place thereof the following: — *Section 45.* After an employee has received an injury, and from time to time thereafter during the continuance of his disability he shall, if requested by the insurer or insured, submit to an examination by a registered physician, furnished and paid for by the insurer or the insured. The employee may have a physician provided and paid for by himself present at the examination. If a physician provided by the employee is not present at the examination, it shall be the duty of the insurer to file with the department a copy of the report of its examining physician or physicians if and when such report is to be used as the basis of any order by the department. If the employee refuses to submit to the examination or in any way obstructs it, his right to compensation shall be suspended, and his compensation during the period of suspension may be forfeited.

Approved April 26, 1921.

Chap.311 AN ACT EXTENDING THE CIVIL SERVICE LAWS TO THE FIRE DEPARTMENT OF THE CITY OF HAVERHILL.

Be it enacted, etc., as follows:

Haverhill fire department, subject to civil service laws, etc.

The civil service laws and regulations shall hereafter apply to all officers and members of the fire department of the city of Haverhill below the grade of chief.

Approved April 26, 1921.

AN ACT PROVIDING FOR MEDICAL ASSISTANCE TO THE *Chap.312*
BOARD OF PAROLE.

Be it enacted, etc., as follows:

Section five of chapter twenty-seven of the General Laws is hereby amended by adding at the end thereof the following: — With the approval of the commissioner, said board may expend annually from the appropriation for contingent and other expenses of the department a sum not exceeding two hundred dollars for examinations by physicians of prisoners whose cases come before said board for action.

G. L. 27, § 5,
amended.

Board of parole,
expenditure for
medical assist-
ance.

Approved April 26, 1921.

AN ACT PROVIDING FOR ASSISTANCE FOR CONDUCTING *Chap.313*
EXAMINATIONS FOR REGISTRATION OF PHYSICIANS.

Be it enacted, etc., as follows:

Section three of chapter one hundred and twelve of the General Laws is hereby amended by adding at the end thereof the following: — The board may employ expert assistance in conducting hospital and laboratory tests.

G. L. 112, § 3,
amended.

Registration of
physicians, em-
ployment of
expert assist-
ance.

Approved April 26, 1921.

AN ACT AUTHORIZING THE TRUSTEES OF THE INTER- *Chap.314*
NATIONAL COLLEGE, SMYRNA, ASIA MINOR, TO GRANT DE-
GREES.

Be it enacted, etc., as follows:

SECTION 1. The Trustees of the International College, Smyrna, Asia Minor, a corporation organized under the General Laws of this commonwealth, is hereby authorized to grant such honorary testimonials and to confer such degrees as are usually conferred by colleges in this commonwealth.

The Trustees
of the Inter-
national Col-
lege, Smyrna,
Asia Minor, may
confer collegiate
degrees.

SECTION 2. A majority of the trustees of said corporation shall be citizens of this commonwealth.

Citizenship of
trustees.

SECTION 3. The trustees shall annually file with the commissioner of education not later than November first in each year a report of their doings for the year ending on the preceding July first.

Annual report.

Approved April 26, 1921.

Chap.315 AN ACT RELATIVE TO THE SALE OF BAKERY PRODUCTS AT RETAIL.

Be it enacted, etc., as follows:

G. L. 111, § 39,
amended.

SECTION 1. Section thirty-nine of chapter one hundred and eleven of the General Laws is hereby amended by striking out, in the thirteenth line, the word "and", and inserting in place thereof a comma, and also by inserting after the word "forty-five", in the same line, the words: — and forty-eight, — so as to read as follows: — *Section 39.* The department may make rules and regulations to carry out sections forty to forty-nine, inclusive. Said sections and the rules and regulations shall be enforced by the department and by the local boards of health acting under the supervision of the department; provided, that the provisions of sections forty and forty-one relating to the health of employees shall be enforced by the department of labor and industries in accordance with such rules and regulations as it may prescribe.

Rules and
regulations for
bakeries.
Enforcement.

Proviso.

Definition.

The word "bakery", as used in sections forty to forty-eight, inclusive, shall mean a building or part thereof wherein is carried on the production, preparation, packing, storing, display or sale of bakery products, including any separate room used for the convenience or accommodation of the workers, except that sections forty, forty-one, forty-three, forty-four, forty-five and forty-eight shall not apply to retail stores where bakery products are sold but not produced.

Certain bakery
product stores
exempt from
penalty.

SECTION 2. Stores in which, at the time chapter four hundred and eighteen of the acts of nineteen hundred and twenty took effect, bakery products were sold but not produced shall not be subject to any penalty for failure to comply with section twenty of said chapter.

Approved April 26, 1921.

Chap.316 AN ACT REMOVING CERTAIN LIMITATIONS AS TO RAISING MONEY BY TAXATION FOR THE WATER WORKS IN THE TOWN OF FALMOUTH.

Be it enacted, etc., as follows:

1898, 66, § 16,
amended.

SECTION 1. Section sixteen of chapter sixty-six of the acts of eighteen hundred and ninety-eight is hereby amended by striking out, in the ninth to fifteenth lines, the words "Said town is further authorized, by a two thirds vote of the voters of said town present and voting at any legal meeting,

to raise by taxation any sum of money for the purpose of enlarging or extending its water works and providing additional appliances and fixtures connected therewith, not exceeding five thousand dollars in any one year", so as to read as follows: — *Section 16.* Said town shall raise annually by taxation a sum which with the income derived from the water rates will be sufficient to pay the current annual expenses of operating its water works and the interest as it accrues on the bonds, notes or scrip issued as aforesaid by said town, or the bonds of said corporation assumed by said town, if any, and to make such contributions to the sinking fund as may be required under the provisions of this act.

Falmouth water supply, payment of expenses.

SECTION 2. This act shall take effect upon its passage.

Approved April 26, 1921.

AN ACT RELATIVE TO THE SUPPORT OF INMATES OF INSTITUTIONS UNDER THE SUPERVISION OF THE DEPARTMENT OF MENTAL DISEASES, AND TO REMOVALS FROM THE BRIDGEWATER STATE HOSPITAL.

Chap. 317

Be it enacted, etc., as follows:

SECTION 1. Section sixteen of chapter one hundred and twenty-three of the General Laws is hereby amended by striking out, in the ninth line, the words "three dollars and seventy-five", and inserting in place thereof the words: — four dollars and fifty, — so as to read as follows: — *Section 16.* The department may place at board in a suitable family or in a place in this commonwealth or elsewhere any patient in an institution who is in the charge of the department and is quiet and not dangerous nor committed as a dipsomaniac or inebriate, nor addicted to the intemperate use of narcotics or stimulants. Any such patient in a state hospital may so be placed at board by the trustees thereof, and such boarder shall be deemed to be an inmate of the state hospital. The cost to the commonwealth of the board of such patients supported at the public expense shall not exceed four dollars and fifty cents a week for each patient.

G. L. 123, § 16, amended.

Support of insane persons by department of mental diseases, etc.

SECTION 2. Section twenty of said chapter one hundred and twenty-three is hereby amended by inserting after the word "commonwealth", at the end of the twenty-first line, the words: — , except that any such person who is subject to such orders may be so removed from Bridgewater state hospital at any time when he would have been entitled to parole if he had not become insane, — so as to read as fol-

G. L. 123, § 20, amended.

Department of
mental diseases,
general power
to transfer, etc.

lows: — *Section 20.* The department, subject to the following section, may transfer to and from any institution any inmate thereof who, in its opinion, is a proper subject for admission to the institution to which he is to be transferred; but no such inmate shall be transferred to be detained as an insane person unless he has been duly committed as insane by a judge or court, and no person shall be so transferred to the Bridgewater state hospital unless he has been a criminal and vicious in his life. A record of such transfer shall be entered in the registers of the institutions to and from which he is transferred. The commitment papers, together with an abstract of his hospital case record, shall be transmitted with him to the institution to which he is transferred. The department, subject to section eighteen of chapter one hundred and twenty, may transfer persons from the Massachusetts training schools to the Hospital Cottages for Children or to the Massachusetts School for the Feeble-Minded. The department may also remove any state charge in any state hospital to any country, state or place where he belongs, and may enter into an agreement with the corresponding board or commission of any other state for the transfer of any state charge or indigent insane person from one state to the other where, after a full investigation of all the facts, he may be deemed equitably to belong; but no such person shall be removed outside this commonwealth if he is subject to the orders of a court of this commonwealth, except that any such person who is subject to such orders may be so removed from Bridgewater state hospital at any time when he would have been entitled to parole if he had not become insane. In making such transfers and removals the department, so far as practicable, shall employ nurses or attendants instead of officers of the law, and shall employ female nurses or attendants to accompany female patients.

G. L. 123, § 96,
amended.

Support of in-
mates in state
hospitals.

SECTION 3. Section ninety-six of said chapter one hundred and twenty-three is hereby amended by striking out, in the third and ninth lines, the word "six", and inserting in place thereof in each instance the word: — seven, — so that the first paragraph will read as follows: — *Section 96.* The trustees of state hospitals, directly or through an authorized agent or agents, may make contracts fixing the price for the support of inmates, at a sum not less than seven dollars per week, and binding the persons making such contracts to payment thereunder. The price for the support of inmates for whose support such a contract is not made, or

of inmates payments for whose support under such contracts are in default and for insane inmates of the state infirmary and of the Bridgewater state hospital, not under orders of a court, shall be determined by the department at a sum not exceeding seven dollars per week for each person, and may be recovered of such persons or of the husband, wife, father, mother, grandfather, grandmother, child or grandchild if of sufficient ability. A married woman shall be subject to the said liability as though sole. Such action shall be brought by the attorney-general in the name of the state treasurer.

Approved April 26, 1921.

AN ACT RELATIVE TO PERMITS FOR TRANSACTING THE Chap.318
RETAIL DRUG BUSINESS.

Be it enacted, etc., as follows:

Section thirty-eight of chapter one hundred and twelve of the General Laws is hereby amended by inserting after the word "business", in the second line, the words: — , or be advertised or represented, by means of any sign, or otherwise, as transacting such business, — so as to read as follows: — *Section 38.* No store shall be kept open for the transaction of the retail drug business, or be advertised or represented, by means of any sign, or otherwise, as transacting such business, unless it is registered with, and a permit therefor has been issued by, the board, as provided in the following section. The permit shall be exposed in a conspicuous place in the store for which it is issued. *Approved April 26, 1921.*

G. L. 112, § 38,
amended.

Permits for
transacting re-
tail drug busi-
ness.

AN ACT RELATIVE TO THE LIMITATION OF ACTIONS AGAINST Chap.319
PHYSICIANS AND OTHERS FOR MALPRACTICE, ERROR OR
MISTAKE.

Be it enacted, etc., as follows:

SECTION 1. Section four of chapter two hundred and sixty of the General Laws is hereby amended by striking out the word "and", in the third line, and by inserting after the word "towns", in the fourth line, the words: — and actions of contract or tort for malpractice, error or mistake, against physicians, surgeons, dentists, hospitals and sanitararia, — so as to read as follows: — *Section 4.* Actions for assault and battery, false imprisonment, slander, actions against sheriffs, deputy sheriffs, constables or assignees in insolvency, for the taking or conversion of personal property, actions of tort for

G. L. 260, § 4,
amended.

Limitation of
certain actions
against
physicians
and others.

injuries to the person against counties, cities and towns and actions of contract or tort for malpractice, error or mistake, against physicians, surgeons, dentists, hospitals and sanitararia, shall be commenced only within two years next after the cause of action accrues; and actions for libel shall be commenced only within one year next after the cause of action accrues.

When act takes effect.

SECTION 2. This act shall take effect January first, nineteen hundred and twenty-two. *Approved April 26, 1921.*

Chap.320 AN ACT RELATIVE TO THE BROCKTON WEBBING COMPANY.
Be it enacted, etc., as follows:

Brockton Webbing Company, incorporated in 1919, if dissolved by certain act, revived.

SECTION 1. The Brockton Webbing Company, incorporated in nineteen hundred and nineteen, if dissolved by chapter two hundred and twelve of the acts of nineteen hundred and twenty, is hereby revived with the same powers, privileges, duties and obligations as if it had not been dissolved by the said chapter, and the acts of the company performed since the said chapter was passed are hereby ratified and confirmed to the same extent as if the said chapter had not been passed.

Brockton Webbing Company, incorporated in 1902, if not dissolved by certain act, dissolved.

SECTION 2. The Brockton Webbing Company, incorporated in nineteen hundred and two, if not dissolved by said chapter two hundred and twelve, is hereby dissolved as of the date of the passage of the said chapter, subject to the provisions of the said chapter so far as applicable.

Approved April 26, 1921.

Chap.321 AN ACT INCREASING THE SALARY OF THE COURT OFFICER OF THE MUNICIPAL COURT OF THE DORCHESTER DISTRICT OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

G. L. 218, § 83, amended.

SECTION 1. Section eighty-three of chapter two hundred and eighteen of the General Laws is hereby amended by striking out, in the fifth line, the words "eighteen hundred", and inserting in place thereof the words: — two thousand, — so as to read as follows: — *Section 83.* The salaries of court officers in the following courts shall be as follows:

Salaries of certain court officers.

Municipal court of the Brighton district, twelve hundred dollars.

Municipal court of the Charlestown district, nineteen hundred dollars.

Municipal court of the Dorchester district, two thousand dollars.

East Boston district court, seventeen hundred dollars.

Municipal court of the Roxbury district, two thousand dollars.

Municipal court of the South Boston district, eighteen hundred dollars.

Municipal court of the West Roxbury district, seventeen hundred dollars.

Court officers in other district courts, except the municipal court of the city of Boston, shall receive salaries to be fixed by the justice, subject to the approval of the county commissioners, payable upon vouchers approved by the justice and the county commissioners.

SECTION 2. This act shall take effect upon its acceptance by the city council of the city of Boston, subject to the provisions of its charter; provided that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to Boston city council, etc.
Proviso.

Approved April 26, 1921.

AN ACT AUTHORIZING THE SALE OF SURPLUS STOCK OF BIOLOGIC PRODUCTS MANUFACTURED BY THE DIVISION OF BIOLOGIC LABORATORIES OF THE DEPARTMENT OF PUBLIC HEALTH.

Chap. 322

Be it enacted, etc., as follows:

Section five of chapter one hundred and eleven of the General Laws is hereby amended by inserting after the word "distribute", in the fifteenth line, the words: — ; and may sell, under such rules, regulations or restrictions as the council may establish, such amounts of the various biologic products prepared or manufactured in the laboratories of the department, as constitute an excess over the amounts required for the diagnosis, prevention and treatment of infectious diseases within the commonwealth, — so as to read as follows: —

G. L. 111, § 5,
amended.

Section 5. The department shall take cognizance of the interests of health and life among the citizens of the commonwealth, make sanitary investigations and inquiries relative to the causes of disease, and especially of epidemics, the sources of mortality and the effects of localities, employments, conditions and circumstances on the public health, and relative to the sale of drugs and food and adulterations thereof; and shall gather such information relating thereto as it considers proper for diffusion among the people. It shall

Powers and duties of department of public health.

advise the government concerning the location and other sanitary condition of any public institution; and shall have oversight of inland waters, sources of water supply and vaccine institutions; and may, for the use of the people of the commonwealth, produce and distribute antitoxin and vaccine lymph and such specific material for protective inoculation, diagnosis or treatment against typhoid fever and other diseases as said department may from time to time deem it advisable to produce and distribute; and may sell, under such rules, regulations or restrictions as the council may establish, such amounts of the various biologic products prepared or manufactured in the laboratories of the department, as constitute an excess over the amounts required for the diagnosis, prevention and treatment of infectious diseases within the commonwealth. It shall annually examine all main outlets of sewers and drainage of towns of the commonwealth, and the effect of sewage disposal.

Approved April 26, 1921.

Chap.323 AN ACT AUTHORIZING PAYMENT OF CERTAIN EXPENSES INCURRED BY THE JUDGES OF PROBATE AND INSOLVENCY IN THE PREPARATION OF BLANKS AND FORMS OF PROCEDURE.

Be it enacted, etc., as follows:

Payment of certain expenses incurred by judges of probate and insolvency, authorized.

The actual expenses incurred in nineteen hundred and twenty by the judges of probate and insolvency charged with the preparation of blanks and forms of procedure in accordance with section thirty of chapter two hundred and fifteen of the General Laws, or the corresponding provisions of earlier laws, shall, when approved by the governor and council, be paid from any appropriation hereafter made for the purpose in the same manner as other claims against the commonwealth.

Approved April 26, 1921.

Chap.324 AN ACT AUTHORIZING THE CITY OF LYNN TO PENSION CHARLES H. INGALLS.

Be it enacted, etc., as follows:

City of Lynn may pension Charles H. Ingalls.

SECTION 1. The city of Lynn may retire Charles H. Ingalls, for forty-eight years in the employ of its highway department and at present employed as a foreman, on an annual pension equal to one half the average rate of com-

pensation paid him during the three years preceding his retirement.

SECTION 2. This act shall take effect upon its acceptance by the city council of said city, subject to the provisions of its charter; provided that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to city council, etc.
Proviso.

Approved April 26, 1921.

AN ACT PROVIDING FOR THE APPOINTMENT OF A SPECIAL COMMISSION ON THE NECESSARIES OF LIFE. Chap. 325

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency preamble.

Be it enacted, etc., as follows:

SECTION 1. There is hereby established for the term of one year, beginning May first, nineteen hundred and twenty-one, and ending April thirtieth, nineteen hundred and twenty-two, a special commission to be known as the Commission on the Necessaries of Life, to consist of three members to be appointed by the governor with the advice and consent of the council. The governor shall designate one member of the commission to act as chairman and fuel administrator, and the person so designated shall have authority to act for the commission when the commission is not in session. The chairman shall receive such compensation not exceeding five thousand dollars per annum as shall be fixed by the governor and council, but the other members of the commission shall serve without compensation.

Special commission on necessities of life established.

Chairman and fuel administrator to be designated, etc.

SECTION 2. It shall be the duty of the commission to study and investigate the circumstances affecting the prices of fuel and other commodities which are necessities of life. The commission may inquire into all matters relating to the production, transportation, distribution and sale of the said commodities, and into all facts and circumstances relating to the cost of production, wholesale and retail prices and the method pursued in the conduct of the business of any persons, firms or corporations engaged in the production, transportation, or sale of the said commodities, or of any business which relates to or affects the same. It shall also be the duty of the said commission to study and investigate the circumstances affecting the charges for rent of property used for living

Duties, powers, etc.

quarters, and in such investigation the commission may inquire into all matters relating to charges for rent. The said commission shall be furnished with suitable quarters in the state house.

May give hearings, summon witnesses, etc.

SECTION 3. The commission shall have authority to give hearings, to administer oaths, to require the attendance and testimony of witnesses and the production of books and documents and other papers, and to employ counsel. Witness summonses may be issued by any member of the commission and shall be served in the same manner as summonses for witnesses in criminal cases issued on behalf of the commonwealth, and all provisions of law relative to summonses issued in such cases shall apply to summonses issued under this act so far as they are applicable. Any justice of the supreme judicial court or of the superior court may, upon application of the commission, compel the attendance of witnesses and the giving of testimony before the commission in the same manner and to the same extent as before the said courts. The commission may employ such agents, inspectors, investigators and clerical and other assistants as may be necessary and as may be approved by the governor and council; and for the compensation of employees and for other necessary expenses may expend such sums from the unexpended balance heretofore appropriated for the use of the commission on necessities of life appointed under chapter three hundred and forty-one of the General Acts of nineteen hundred and nineteen and from the unexpended balance appropriated for the expenses of fuel administration pursuant to chapter six hundred and ten of the acts of nineteen hundred and twenty as shall be approved by the governor and council. The transfer of the unexpended balance appropriated as aforesaid for the expenses of fuel administration is hereby authorized.

To investigate complaints, publish findings, etc.

SECTION 4. The commission shall investigate all complaints made to it, and may publish its findings. It shall keep in touch with the work of federal and municipal and other agencies dealing with the necessities of life, and give them such assistance as it deems advisable, and may invoke the aid of said agencies and of civic and other organizations.

Report to general court.

SECTION 5. The commission shall make a report to the general court not later than the first Wednesday of January, nineteen hundred and twenty-two.

Powers and duties of commission pre-

SECTION 6. The powers and duties of the commission on the necessities of life appointed under chapter three hundred

and forty-one of the General Acts of nineteen hundred and nineteen and of the fuel administrator appointed under chapter three hundred and forty-two of the General Acts of nineteen hundred and seventeen and chapter six hundred and ten of the acts of nineteen hundred and twenty shall terminate on May first, nineteen hundred and twenty-one, and all the books, records and other papers of the said commission and of the said fuel administrator shall be turned over to the commission and the fuel administrator appointed under the terms of this act.

viously appointed to terminate, etc.

Records, etc., to be turned over.

SECTION 7. Chapters three hundred and forty-one and three hundred and sixty-five of the General Acts of nineteen hundred and nineteen and chapter six hundred and twenty-eight of the acts of nineteen hundred and twenty are hereby repealed.

Repeals.

SECTION 8. So much of this act as relates to the appointment and qualification of the members of the new commission on the necessities of life and to the designation of a new fuel administrator shall take effect upon its passage; and all other provisions shall take effect upon such appointment and qualification, but not earlier than May first in the current year.

Time of taking effect.

Approved April 27, 1921.

AN ACT RELATIVE TO THE TIME FOR FILING APPLICATIONS FOR CERTAIN PAYMENTS TO SOLDIERS AND SAILORS.

Chap. 326

Whereas, The deferred operation of this act would be inconsistent with its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency preamble.

Be it enacted, etc., as follows:

SECTION 1. No payment shall be made by the treasurer and receiver-general, under the provisions of chapter two hundred and eleven of the General Acts of nineteen hundred and seventeen, as affected by chapter three hundred and thirty-two of said General Acts and by chapter ninety-two of the General Acts of nineteen hundred and eighteen, upon any application filed with the said treasurer after November thirtieth in the year nineteen hundred and twenty-one.

State pay for Massachusetts soldiers and sailors, time for filing applications, etc.

SECTION 2. Section four of chapter two hundred and eighty-three of the General Acts of nineteen hundred and nineteen, as amended by section one of chapter two hundred and fifty of the acts of nineteen hundred and twenty, is

1919, 283 (G), § 4, etc., amended.

"Bonus," so-called for Massachusetts soldiers and sailors, time for filing applications, etc.

hereby further amended by striking out, in the third line, the words "July thirty-first", and inserting in place thereof the words:— November thirtieth, — and also by striking out, in the fourth line, the word "twenty", and inserting in place thereof the word:— twenty-one, — so as to read as follows:— *Section 4.* Applications hereunder shall be filed with the treasurer and receiver-general before twelve o'clock, noon, of November thirtieth, nineteen hundred and twenty-one, upon forms to be furnished by him. The treasurer and receiver-general may accept the written statement of an assessor of a city or town that a person claiming pay or on whose account pay is claimed by a dependent or heir-at-law, under the provisions of this act, was a resident thereof on the first day of April, in any year, as prima facie evidence of the fact of such residence, and he may accept such other evidence of residence as he may consider adequate. The assessors of the several cities and towns shall, at the request of the treasurer and receiver-general, forthwith furnish such information relative to such residence as their records may disclose.

Approved April 27, 1921.

Chap. 327 AN ACT INCREASING THE SITTINGS OF THE SUPERIOR COURT FOR CRIMINAL BUSINESS IN THE COUNTY OF MIDDLESEX.

Be it enacted, etc., as follows:

G. L. 212, § 14, amended.

Section fourteen of chapter two hundred and twelve of the General Laws is hereby amended by striking out the paragraph contained in lines twenty-eight to thirty-two, inclusive, and inserting in place thereof the following new paragraph:— For Middlesex, for civil business, at Lowell, the first Mondays of April and October, and at Cambridge, the first Monday of January; for criminal business, at Cambridge, the first Mondays of January, February, April, May, June, October, November and December, and at Lowell, the first Monday of March and the Tuesday after the first Monday of September.

Approved April 27, 1921.

Chap. 328 AN ACT AUTHORIZING THE TOWN OF NORWOOD TO INCUR INDEBTEDNESS FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

Town of Norwood may incur indebtedness for school purposes.

SECTION 1. For the purpose of completing the new school building on Washington street and constructing new school buildings or additions to school buildings where such addi-

tions increase the floor space, and for the purchase of original equipment and furnishings for said buildings or additions, the town of Norwood may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, one hundred thousand dollars, and may issue bonds or notes therefor which shall bear on their face the words, Norwood School Loan, Act of 1921. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall otherwise be subject to chapter forty-four of the General Laws.

Norwood
School Loan,
Act of 1921.

SECTION 2. This act shall take effect upon its passage.

Approved April 30, 1921.

AN ACT AUTHORIZING THE CITY OF EVERETT TO INCUR INDEBTEDNESS FOR SCHOOL PURPOSES.

Chap.329

Be it enacted, etc., as follows:

SECTION 1. Chapter two hundred and twelve of the Special Acts of nineteen hundred and nineteen is hereby amended by striking out section one and inserting in place thereof the following: — *Section 1.* For the purpose of constructing and equipping a building to be used as a high school building, the city of Everett may borrow, in excess of the statutory limit of indebtedness, the sum of seven hundred and fifty thousand dollars, and may from time to time issue bonds or notes therefor payable within periods not exceeding twenty years from their respective dates of issue. Said bonds or notes shall be signed by the treasurer and countersigned by the mayor and shall be denominated on the face thereof, Everett High School Loan, Act of 1919. Each authorized issue shall constitute a separate loan. The city may sell the said securities at public or private sale, upon such terms and conditions as it may deem proper, but not for less than their par value, and the proceeds shall be used only for the purposes herein specified.

1919, 212 (S),
§ 1, amended.

City of Everett
may incur in-
debtedness for
school purposes.

Everett High
School Loan,
Act of 1919.

SECTION 2. This act shall take effect upon its passage.

Approved April 30, 1921.

AN ACT AUTHORIZING GEORGE L. BROWNELL TO MAINTAIN A BRIDGE OVER MARKET STREET IN THE CITY OF WORCESTER.

Chap.330

Be it enacted, etc., as follows:

SECTION 1. Upon petition, after seven days' notice inserted in at least three newspapers published in the city of

George L.
Brownell may
build and main-

tain a bridge
over Market
street in city of
Worcester.

Conditions,
restrictions,
etc.

Revocation.

Dimensions,
etc.

Damages, how
recovered, etc.

Proviso.

Worcester, and a public hearing thereon, the board of aldermen of said city may, by a two thirds vote, with the approval of the mayor, issue a permit to George L. Brownell of Worcester, his heirs and assigns, to build and maintain a bridge over Market street in said city, for the purpose of connecting the buildings owned and occupied by said George L. Brownell on said Market Street with certain premises owned and occupied by Worcester Tire Fabric Company, a corporation, on the opposite side of said Market street, said bridge to cover only such portions of said street as are owned in fee by the said George L. Brownell or by the said Worcester Tire Fabric Company. The said permit shall be granted upon such conditions, and subject to such restrictions, as the said board may prescribe, and with the written consent of the said Worcester Tire Fabric Company filed with the said board. Any permit so issued may be revoked by a vote of the said board with the approval of the mayor.

SECTION 2. Any bridge built under a permit granted as aforesaid shall be constructed and maintained at a height not less than thirty feet above the grade line of the said street, and shall not be more than eight feet in width, and no part of said bridge or its support shall rest upon the surface of the street.

SECTION 3. If a person sustains bodily injury or damage in his property by reason of the construction or maintenance of said bridge, he may recover damages therefor in an action of tort brought in the superior court against said George L. Brownell, or his heirs or assigns, within one year after the date of such injury or damage, provided that such notice of the time, place, and cause of the said injury or damage be given to said George L. Brownell, his heirs or assigns, by or on behalf of, the person sustaining the same as is, under the provisions of chapter eighty-four of the General Laws, valid and sufficient in cases of injury or damage sustained by reason of a defect or a want of repair in or upon a way, if such defect or want of repair is caused by or consists in part of snow or ice, or both. The remedy herein provided shall not be exclusive, but shall be in addition to any other remedy provided by law.

SECTION 4. This act shall take effect upon its passage.

Approved April 30, 1921.

AN ACT AUTHORIZING THE FARR ALPACA COMPANY TO MAINTAIN A BRIDGE OVER CABOT STREET IN THE CITY OF HOLYOKE. Chap. 331

Be it enacted, etc., as follows:

SECTION 1. Upon petition and after seven days' notice inserted in at least two newspapers published in the city of Holyoke, and a public hearing thereon, the board of aldermen of said city may, by a two thirds vote, with the approval of the mayor, issue a permit to the Farr Alpaca Company, a corporation having a principal place of business in Holyoke, to build and maintain a bridge over Cabot street in said city, at a point where said corporation owns the land on opposite sides of the said street, for the purpose of connecting the buildings owned and occupied by said corporation on said opposite sides of the said street, upon such conditions and subject to such restrictions as the said board may prescribe. Any permit so issued may be revoked by vote of the board of aldermen, with the approval of the mayor.

Farr Alpaca Company may build and maintain a bridge over Cabot street in city of Holyoke.

Revocation.

SECTION 2. Any bridge built under a permit granted as aforesaid shall be constructed and maintained at a height not less than forty feet above the grade line of the street, and shall be not more than twelve feet in width, and no part of said bridge or its support shall rest on the surface of the street.

Dimensions, etc.

SECTION 3. If a person sustains bodily injury or damage in his property by reason of the construction or maintenance of said bridge, he may recover damages therefor in an action of tort brought in the superior court against said Farr Alpaca Company within one year after the date of such injury or damage, provided that such notice of the time, place, and cause of the said injury or damage be given to said Farr Alpaca Company by, or on behalf of, the person sustaining the same as is, under the provisions of chapter eighty-four of the General Laws, valid and sufficient in cases of injury or damage sustained by reason of a defect or a want of repair in or upon a way, if such defect or want of repair is caused by or consists in part of snow or ice, or both. The remedy herein provided shall not be exclusive, but shall be in addition to any other remedy provided by law.

Damages, how recovered, etc.

Proviso.

SECTION 4. This act shall take effect upon its passage.

Approved April 30, 1921.

Chap.332 AN ACT AUTHORIZING THE TOWN OF BEDFORD TO MAKE AN
ADDITIONAL WATER LOAN.

Be it enacted, etc., as follows:

Town of Bedford may make an additional water loan.

Bedford Water Loan, Act of 1921.

Payment of loan.

SECTION 1. For the purpose of extending its water mains and improving its water distribution facilities, the town of Bedford may from time to time borrow such sums as may be necessary not exceeding, in the aggregate, fifteen thousand dollars, and may issue bonds or notes therefor which shall bear on their face the words, Bedford Water Loan, Act of 1921. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than thirty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall otherwise be subject to chapter forty-four of the General Laws.

SECTION 2. The town shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with section one; and when a vote to that effect has been passed a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid, and to make such payments on the principal as may be required by this act, shall, without further vote, be assessed by the assessors of the town annually thereafter, in the same manner as other taxes, until the debt incurred by said loan or loans is extinguished.

SECTION 3. This act shall take effect upon its passage.

Approved April 30, 1921.

Chap.333 AN ACT RELATIVE TO THE RETURN OF BURIAL AND CEMETERY PERMITS BY CEMETERY OR CREMATORY OFFICERS.

Be it enacted, etc., as follows:

G. L. 114, § 47, amended.

Permits and certificates necessary for burial, cremation, etc., of human bodies.

Chapter one hundred and fourteen of the General Laws is hereby amended by striking out section forty-seven and inserting in place thereof the following:— *Section 47.* No person having the care of a cemetery, burial ground or crematory shall permit the burial, removal or cremation of a human body until the permit for such burial, removal or cremation has been delivered to him, nor permit the ashes of a human body to be buried therein until there has been delivered to him a certificate that the burial permit and the certificate of

the medical examiner prerequisite to the cremating of said body have been duly presented.

Upon the burial or cremation of a body, the superintendent or other officer in charge of the cemetery or crematory shall endorse upon the coupon accompanying the permit the fact of such burial, removal or cremation, with the date thereof, shall make and preserve a record of the burial, removal or cremation and shall forthwith return the coupon to the office issuing the same; provided that if there is no officer in charge of the cemetery such duties shall be performed by the undertaker.

Cemetery of-
ficers to make
return of burial
and cemetery
permits.

Proviso.

Approved April 30, 1921.

AN ACT RELATIVE TO EXTRA CLERICAL ASSISTANCE FOR THE POLICE COURT OF SPRINGFIELD AND FOR THE DISTRICT COURT OF HAMPSHIRE COUNTY. Chap. 334

Be it enacted, etc., as follows:

SECTION 1. Chapter two hundred and eighteen of the General Laws is hereby amended by inserting after section seventy-one the following new section: — *Section 71A.* Upon the certificate of the justice and the clerk of the police court of Springfield, that extra clerical assistance was actually performed and was necessary, stating the names of the persons by whom it was performed and the time occupied, the clerk shall be allowed such amounts as the county commissioners may approve, but not exceeding twenty-five hundred dollars annually; provided that if an increase in such assistance is desired, such approval shall be secured before any expense therefor is incurred. Said amounts shall be paid by the county monthly to the persons employed. The provisions of section seventy-three shall not apply to said court.

G. L. 218, new
section after
§ 71.

Extra clerical
assistance for
police court of
Springfield.

Proviso.

SECTION 2. Said chapter two hundred and eighteen is hereby further amended by inserting after section seventy-one A the following new section: — *Section 71B.* Upon the certificate of the justice and the clerk of the district court of Hampshire, that extra clerical assistance was actually performed and was necessary, stating the names of the persons by whom it was performed and the time occupied, the clerk shall be allowed such amounts as the county commissioners may approve; provided that if an increase in such assistance is desired, such approval shall be secured before any expense therefor is incurred. Said amounts shall be paid by the county monthly to the persons employed. The provisions of section seventy-three shall not apply to said court.

G. L. 218, new
section after
§ 71A.

Extra clerical
assistance for
district court
of Hampshire
county.

Proviso.

To be submitted to county commissioners of Hampden and Hampshire counties.

SECTION 3. Section one of this act shall take effect upon its acceptance, prior to December thirty-first in the current year, by the county commissioners of the county of Hampden, and section two shall take effect upon its acceptance, prior to said December thirty-first, by the county commissioners of the county of Hampshire. *Approved April 30, 1921.*

Chap.335 AN ACT RELATIVE TO THE RETIREMENT AND PENSIONING OF HENRY C. MERWIN.

Be it enacted, etc., as follows:

Retirement and pensioning of Henry C. Merwin.

There shall be paid annually from the treasury of the commonwealth to Henry C. Merwin, who served as clerk of the committee on bills in the third reading and as counsel to the committees of the house of representatives for twenty-one years and was retired on December thirty-first, nineteen hundred and twenty, a pension which, added to the amount annually payable to him as a member of the retirement association for state employees, shall equal the sum of seven hundred and twenty dollars. *Approved April 30, 1921.*

Chap.336 AN ACT RELATIVE TO ESTIMATES OF COUNTY FINANCES.

Be it enacted, etc., as follows:

G. L. 35, § 28, amended.

Estimates of county finances.

Section twenty-eight of chapter thirty-five of the General Laws is hereby amended by striking out, in the twelfth line, the words "in print", and also by inserting after the word "shall", in the thirteenth line, the words: — upon their request, — so as to read as follows: — *Section 28.* The county commissioners shall annually prepare estimates of county receipts and expenditures for the ensuing year, in the form prescribed by the director of accounts and upon blanks by him furnished, including estimates for construction and repair of county buildings, with a statement of the corresponding appropriations for the preceding year, and expenditures for each of the three preceding years, explaining any difference between the amount of an estimate and the latest appropriation for the same purpose, and citing the laws relating thereto. The clerk of the commissioners shall record the foregoing in a book kept therefor, and, on or before January fifteenth, shall send a copy thereof, by him attested and signed by the chairman, to the said director, who shall analyze and classify said estimates, and report the same to

the general court not later than February first. The director shall upon their request send a copy of said report to the mayor of each city and to the selectmen of each town in the commonwealth.

Approved April 30, 1921.

AN ACT RELATIVE TO THE RETIREMENT AND PENSIONING OF MEMBERS OF FIRE DEPARTMENTS IN CITIES AND TOWNS. *Chap.337*

Be it enacted, etc., as follows:

SECTION 1. Section eighty of chapter thirty-two of the General Laws is hereby amended by adding at the end thereof the following:— Any acceptance of this and the following section may be limited by the vote of acceptance to any one or more of the classes of firemen hereinbefore set forth.

G. L. 32, § 80, amended.

Retirement and pensioning of firemen in cities.

SECTION 2. Said chapter thirty-two is hereby further amended by inserting after section eighty-five the following new section:— *Section 85A.* Upon the acceptance of this section by a town at its annual town meeting by a two thirds vote, the provisions of section eighty-five relative to the retirement of permanent members of the fire department for incapacity shall apply to call members of its fire department, except that a call member retired hereunder shall annually receive from the town a pension at such rate, not exceeding five hundred dollars a year, as the town may authorize.

G. L. 32, new section after § 85.

Retirement and pensioning of firemen in towns.

Approved April 30, 1921.

AN ACT RELATIVE TO THE RETURN AND ENTRY OF WRITS IN POLICE, DISTRICT AND MUNICIPAL COURTS. *Chap.338*

Be it enacted, etc., as follows:

Section twenty-five of chapter two hundred and twenty-three of the General Laws is hereby amended by inserting after the word "courts", the first time it occurs in the third line, the following:— , and if said Saturday is a legal holiday, such writs, processes, notices to appear and citations shall be returned, and such actions entered, on the next business day following, — so as to read as follows:— *Section 25.* Saturday of each week shall be the return day for writs, processes, notices to appear and citations in all civil actions and proceedings in district courts, and if said Saturday is a legal holiday, such writs, processes, notices to appear and citations shall be returned, and such actions entered, on the next business day following; but said courts may make them returnable at other times. When the court is required to be

G. L. 223, § 25, amended.

Return and entry of writs in police, district and municipal courts.

held at two or more places, writs shall be made returnable at the place where the clerk's office is kept, except that when the regular session of the court for the trial of civil cases is held upon the return day at some other place, such writs may be made returnable at the place where such session is held, and notices and citations may be made returnable at any place appointed by law for holding the court.

Approved April 30, 1921.

Chap.339 AN ACT AUTHORIZING THE CITY OF BOSTON TO PENSION
LAURA F. TILTON.

Be it enacted, etc., as follows:

City of Boston
may pension
Laura F. Tilton.

SECTION 1. The city of Boston may retire Laura F. Tilton, for forty-seven years employed in the city clerk's department of said city, on an annual pension not exceeding six hundred dollars.

To be sub-
mitted to city
council, etc.
Proviso.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided that such acceptance occurs prior to December thirty-first in the current year.

Approved April 30, 1921.

Chap.340 AN ACT RELATIVE TO THE TIME FOR THE ISSUANCE OF
NOMINATION PAPERS FOR ELECTIVE OFFICES IN THE CITY
OF BOSTON.

Be it enacted, etc., as follows:

1909, 486, § 54,
etc., amended.

Section fifty-four of chapter four hundred and eighty-six of the acts of nineteen hundred and nine, as amended by section five of chapter seven hundred and thirty of the acts of nineteen hundred and fourteen, is hereby further amended by striking out, in the twelfth line, the words "day next following the state election", and inserting in place thereof the words:—Wednesday after the first Monday in November,—so as to read as follows:—*Section 54.* If a candidate nominated as aforesaid dies before the day of election, or withdraws his name from nomination, or is found to be ineligible, the vacancy may be filled by a committee of not less than five persons, or a majority thereof, if such committee be named, and so authorized in the nomination papers. Nomination papers shall not include candidates for more than one office. Every voter may sign as many nomination papers for each office to be filled as there are persons to be

Vacancies in list
of candidates
for elective of-
fices in city of
Boston, how
filled, etc.

elected thereto and no more. Nomination papers in each year shall be issued by the board of election commissioners on and after but not before the Wednesday after the first Monday in November. Such papers shall be issued only to candidates who shall file with the election commissioners requests therefor in writing, containing their names with the first or middle name in full, the offices for which they are candidates, and their residences, with street and number, if any. Forthwith the election commissioners shall print or insert on such nomination papers the names of the candidates, the offices for which they are nominated and their residences, with street and number, if any. Not more than three hundred such nomination papers shall be issued to any candidate for mayor, and not more than two hundred such nomination papers shall be issued to any candidate for the city council or for the school committee. No nomination papers except those issued in accordance with the provisions of this section shall be received or be valid. *Approved April 30, 1921.*

Nomination papers, time for issuance, etc.

AN ACT EXTENDING THE LAW RELATIVE TO EDUCATIONAL
CERTIFICATES OF EMPLOYED MINORS. *Chap. 341*

Be it enacted, etc., as follows:

Section ninety-five of chapter one hundred and forty-nine of the General Laws is hereby amended by inserting after the word "establishment", in the third line, the words: — or in a public or private bowling alley, pool or billiard room, bootblack stand or establishment, barber shop, or in the construction or repair of buildings, or by an express or transportation company, — by inserting after the word "absence", in the twenty-eighth line, the words: — or waive the school attendance requirements of this section if in the opinion of the school physician the physical or mental condition of a minor is such as to render attendance harmful or impracticable, — and also by inserting after the word "section", in the twenty-ninth line, the words: — or fraudulently secures or alters such certificate, — so as to read as follows: — *Section 95.* No minor over sixteen and under twenty-one shall be employed in a factory, workshop, manufacturing, mechanical or mercantile establishment, or in a public or private bowling alley, pool or billiard room, bootblack stand or establishment, barber shop, or in the construction or repair of buildings, or by an express or transportation company, except as provided for pupils in co-operative courses, unless his em-

G. L. 149, § 95, amended.

Educational certificates for employed minors between sixteen and twenty-one.

ployer procures and keeps on file an educational certificate showing the age of the minor and his ability or inability to read and write as hereinafter provided. Such certificates shall be issued by the person authorized by section eighty-seven to issue employment certificates. The person authorized to issue such educational certificates shall, so far as practicable, require the proof of age stated in said section. He shall examine the minor and certify whether or not he possesses the educational qualifications described in section one of chapter seventy-six. Every such certificate shall be signed, in the presence of the person issuing it, by the minor in whose name it is issued.

Duties of employers as to certificates, etc.

Every employer of such minors shall keep their educational certificates accessible to any officer mentioned in section ninety-two and shall return said certificates to the office from which they were issued within two days after the date of the termination of the employment of said minors. If the educational certificate of any minor over sixteen and under twenty-one fails to show that said minor possesses the educational qualifications described in section one of chapter seventy-six, no person shall employ such minor while a public evening school is maintained in the town where the minor resides, unless such minor is a regular attendant at such evening school or at a day school and presents to his employer each week a school record of such attendance. When such record shows unexcused absences, such attendance shall be deemed to be irregular and insufficient. The person authorized to issue educational certificates, or teachers acting under his authority, may, however, excuse justifiable absence or waive the school attendance requirements of this section if in the opinion of the school physician the physical or mental condition of a minor is such as to render attendance harmful or impracticable. Whoever retains an educational certificate contrary to this section or fraudulently secures or alters such certificate shall be punished by a fine of not less than ten nor more than one hundred dollars.

Penalty.

Approved April 30, 1921.

Chap. 342 AN ACT RELATIVE TO THE ADVANCE OF MONEY FROM THE TREASURY OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

G. L. 29, § 23,
amended.

Chapter twenty-nine of the General Laws is hereby amended by striking out section twenty-three and inserting

in place thereof the following:— *Section 23.* Any officer authorized to expend money in behalf of the commonwealth may have money advanced to him from the treasury for such purposes, in such sums and subject to such rules and regulations as the state auditor may determine.

Advances from
state treasury.

Approved April 30, 1921.

AN ACT RELATIVE TO THE PUBLISHING OF NOTICES OF
HEARINGS BEFORE COMMITTEES OF THE GENERAL
COURT.

Chap. 343

Be it enacted, etc., as follows:

Section thirty-five of chapter three of the General Laws is hereby amended by inserting after the word "committee", in the third and fourth lines, the words:—, subject to the approval of the committees on rules sitting jointly or acting concurrently, — so as to read as follows:— *Section 35.* Advertisements of hearings shall be published only in newspapers designated by the chairman of the committee on the part of the senate or of the house of representatives and the clerk of the committee, subject to the approval of the committees on rules sitting jointly or acting concurrently, and in each case the order for the advertisement shall be signed by the chairman and clerk of the respective committees, who shall designate therein the newspapers in which such advertisement is to be published, designating daily papers whenever such are available, and shall file the same with the state auditor, who shall thereupon forward a copy to the newspapers so designated for publication and shall give the necessary directions to secure uniformity in the style and manner of publication, as provided in the preceding section. The auditor shall certify all bills for publishing such advertisements, and shall annually, during the first week in April, report in detail to the general court the expenses incurred by the several committees under this section.

G. L. 3, § 35,
amended.

Publishing of
notices of legis-
lative com-
mittee hearings.

Approved April 30, 1921.

AN ACT PROVIDING FOR THE ESTABLISHMENT OF THE
MOHAWK TRAIL STATE FOREST.

Chap. 344

Be it enacted, etc., as follows:

SECTION 1. The commissioner of conservation may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by gift, purchase or otherwise, such land or interests therein as may be necessary for preserving the forest

Commissioner
of conservation
may take land
for establish-
ment of Mo-
hawk Trail
State Forest.

growth on that area lying on both sides of the state highway constituting the Mohawk Trail, so-called, situated between the junction of the Cold and Deerfield rivers and the village of Drury, and including between these points all land lying between the Trail and the summits of the slopes and hillsides forming the valleys of Manning brook, Black brook and Cold river, comprising a tract of between four thousand and five thousand acres.

Mohawk Trail
State Forest,
name es-
tablished, etc.

SECTION 2. The land acquired under the provisions of section one shall be known as the Mohawk Trail State Forest, and shall be under the control and management of the commissioner of conservation.

Permits and
licenses to cut
trees, establish
camp sites, etc.

SECTION 3. The said commissioner shall have full and exclusive authority to grant from time to time permits to owners of adjoining land to do any necessary work in said forest, including grading, cutting trees, and the like, that may be essential for convenient access thereto or communication with said land, and to revoke the same; and also to grant and revoke permits or licenses for camp sites, and for the sale of goods, wares and merchandise along the highway or elsewhere within said forest.

Exemption
from taxation,
reimbursement
of towns, etc.

SECTION 4. Said land shall be exempt from taxation, but the commonwealth shall reimburse the towns in which said land is located for the resulting loss of taxable valuation in the same manner and to the same extent as provided by sections thirteen to seventeen, inclusive, of chapter fifty-eight of the General Laws.

Expenditure
authorized.

SECTION 5. For carrying out the purposes of this act there may be expended, out of item number two hundred and sixty-eight of the general appropriation act, a sum not exceeding sixty-five thousand dollars, but the limitation of price for purchase to five dollars an acre, as provided by section thirty-three of chapter one hundred and thirty-two of the General Laws, shall not apply to purchases made under authority of this act. *Approved April 30, 1921.*

Chap. 345 AN ACT AUTHORIZING THE CITY OF BOSTON TO INCUR INDEBTEDNESS FOR THE CONSTRUCTION OF A DRAW ON THE BRIDGE OVER THE SOUTH CHANNEL OF MYSTIC RIVER BETWEEN SAID CITY AND CHELSEA.

Be it enacted, etc., as follows:

City of Boston
may incur in-
debtedness for
construction of
draw on

SECTION 1. The city of Boston, for the purpose of constructing a permanent draw on the Chelsea south bridge over the south channel of the Mystic river, in substitution

for the temporary draw on said bridge now in use, may incur indebtedness to an amount not exceeding eight hundred thousand dollars, of which sum two hundred thousand dollars shall be in excess of the statutory limit, and may issue bonds or notes therefor. Such bonds or notes shall be denominated on the face thereof, Chelsea South Bridge Loan, Act of 1921. The amount incurred outside the debt limit shall be for such terms not exceeding five years from the dates of issue as the mayor and treasurer of the city shall determine, and the amount incurred inside the debt limit shall be for such terms not exceeding twenty years as the mayor and treasurer of the city shall determine. Said bonds or notes shall bear interest in accordance with the provisions of chapter fifty-two of the Special Acts of nineteen hundred and eighteen; and shall be payable by such annual payments as will extinguish the same at maturity and so that the first of the said annual payments on account of any loan shall be made not later than one year after the date of the bonds or notes issued therefor, and so that the amount of the said payments in any year on account of such loan shall not be less than the amount of principal of the loan payable in any subsequent year. The said annual amounts, together with the interest on the loan, shall, without further action, be assessed until the debt is extinguished. Each issue of bonds or notes shall constitute a separate loan, and may be sold at public or private sale.

Chelsea south
bridge over
Mystic river.

Chelsea South
Bridge Loan,
Act of 1921.

SECTION 2. Nothing in this act shall affect any obligation imposed upon the cities of Chelsea and Revere and the Eastern Massachusetts Street Railway Company by chapter five hundred and eighty-one of the acts of nineteen hundred and eleven and chapter three hundred and forty-one of the acts of nineteen hundred and thirteen, or by any order or decree of the court made in pursuance thereof.

Certain obliga-
tions not af-
fected.

SECTION 3. This act shall take effect upon its passage.

Approved May 2, 1921.

AN ACT EXEMPTING JOSEPH I. HORTON OF IPSWICH FROM THE PROVISIONS OF LAW REQUIRING THE RETIREMENT OF MEMBERS OF THE TEACHERS' RETIREMENT ASSOCIATION AT THE AGE OF SEVENTY.

Chap. 346

Be it enacted, etc., as follows:

SECTION 1. The provisions of section ten of chapter thirty-two of the General Laws requiring the retirement of members of the teachers' retirement association at the age of seventy

Joseph I. Horton of Ipswich exempted from certain teachers' retirement laws.

shall not apply to Joseph I. Horton, now superintendent of schools in the town of Ipswich, but the said Horton may continue a member of the teachers' retirement association, subject otherwise to the provisions of said chapter relative to members of said association.

SECTION 2. This act shall take effect upon its passage.

Approved May 2, 1921.

Chap. 347 AN ACT AUTHORIZING THE CITY OF WORCESTER TO INCUR INDEBTEDNESS FOR WATER SUPPLY PURPOSES.

Be it enacted, etc., as follows:

City of Worcester may incur indebtedness for water supply purposes.

SECTION 1. For the purpose of defraying the cost and expenses incident to carrying out the purposes specified in chapter three hundred and fifty-one of the acts of nineteen hundred and two, including payments for lands, water and water rights taken or purchased, and for the purpose of further increasing its water supply, the city of Worcester may borrow, from time to time, such sums as may be necessary not exceeding, in the aggregate, seven hundred and fifty thousand dollars in addition to amounts previously authorized to be issued, and may issue bonds or notes therefor which shall bear on their face the words, Worcester Water Loan, Act of 1921. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than twenty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall otherwise be subject to chapter forty-four of the General Laws.

Worcester Water Loan, Act of 1921.

Payment of loan.

SECTION 2. The said city shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with section one of this act; and when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid by the city and to make such payments on the principal as may be required under the provisions of this act, shall, without further vote, be assessed by the assessors of the city annually thereafter, in the same manner as other taxes, until the debt incurred by said loan or loans is extinguished.

SECTION 3. This act shall take effect upon its passage.

Approved May 2, 1921.

AN ACT RELATIVE TO FIXING THE TAX RATES OF CITIES *Chap. 348*
AND TOWNS.

Whereas, The deferred operation of this act would cause great inconvenience in the fixing of the local tax rates for the current year, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

Section twenty-three of chapter fifty-nine of the General Laws is hereby amended by striking out, in the fourteenth and fifteenth lines, the words "such receipts during the preceding year", and inserting in place thereof the words: — the corporation tax received from the commonwealth on or before May first of the current year on account of the assessments of the previous year and of such other receipts as have been received during the preceding financial year, — so as to read as follows: — *Section 23.* The assessors shall annually assess taxes to an amount not less than the aggregate of all amounts appropriated, granted or lawfully expended by their respective towns since the last preceding annual assessment and not provided for therein, of all amounts required by law to be raised by taxation by said towns during said year, of all amounts necessary to satisfy final judgments against said towns and of all abatements granted on account of the tax assessment of any year in excess of the overlay of that year, and not otherwise provided for; but such assessments shall not include liabilities for the payment of which towns have lawfully voted to contract debts. The assessors may deduct the amount of all the estimated receipts of their respective towns, except from loans or taxes, lawfully applicable to the payment of the expenditures of the year from the amount required to be assessed; but such deduction shall not exceed the amount of the corporation tax received from the commonwealth on or before May first of the current year on account of the assessments of the previous year and of such other receipts as have been received during the preceding financial year.

G. L. 59, § 23,
amended.

Fixing of tax
rates of cities
and towns.

Approved May 2, 1921.

Chap.349 AN ACT RELATIVE TO ARRESTS FOR VIOLATION OF LAWS
RELATING TO MOTOR VEHICLES.

Be it enacted, etc., as follows:

G. L. 90, § 21,
amended.

Arrests for vio-
lation of laws
relating to
motor vehicles.

Chapter ninety of the General Laws is hereby amended by striking out section twenty-one and inserting in place thereof the following: — *Section 21.* Any officer authorized to make arrests may arrest without warrant and keep in custody for not more than twenty-four hours, unless Sunday intervenes, any person operating a motor vehicle on any way who does not have in his possession a license to operate motor vehicles granted to him by the registrar, and who violates any statute, by-law, ordinance or regulation relating to the operation or control of motor vehicles; and at or before the expiration of said period of time such person shall be brought before a magistrate and proceeded against according to law. An investigator or examiner appointed under section twenty-nine, may arrest without warrant, keep in custody for a like period, bring before a magistrate and proceed against in like manner, any person operating a motor vehicle while under the influence of intoxicating liquors, irrespective of his possession of such a license. Any person operating a motor vehicle who is arrested as aforesaid and solely because he has violated a provision of section seventeen or a regulation under section eighteen shall be admitted to bail for his appearance in court upon the deposit of one hundred dollars in cash, in lieu of a bail bond, with any person authorized to take bail.

Approved May 2, 1921.

Chap.350 AN ACT AUTHORIZING SITTINGS OF THE SUPERIOR COURT
AT QUINCY IN THE COUNTY OF NORFOLK.

Be it enacted, etc., as follows:

G. L. 212, new
section after
§ 18.

Sittings of su-
perior court at
Quincy in Nor-
folk county,
authorized.

SECTION 1. Chapter two hundred and twelve of the General Laws is hereby amended by inserting after section eighteen the following new section: — *Section 18a.* An adjourned sitting of each civil and criminal term of the court for Norfolk county may, in the discretion of the chief justice, be held at Quincy.

Expenditures
by county to
provide accom-
modations, etc.

SECTION 2. For the purpose of making adequate provision for the accommodation of such adjourned sittings, the county commissioners of said county may, in their discretion, expend from the treasury of said county a sum not exceeding five thousand dollars.

SECTION 3. This act shall not take effect unless accepted by the county commissioners of the county of Norfolk, but such acceptance shall occur prior to December thirty-first in the current year.

To be submitted to Norfolk county commissioners, etc.

Approved May 2, 1921.

AN ACT RELATIVE TO EMPLOYMENT CERTIFICATES FOR CERTAIN MINORS. Chap. 351

Be it enacted, etc., as follows:

SECTION 1. Section sixty-five of chapter one hundred and forty-nine of the General Laws is hereby amended by inserting after the word "sixty", in the third line, the words: — , or for which an employment certificate is required, — so as to read as follows: — *Section 65.* No person shall employ a minor under sixteen or permit him to work in, about or in connection with any establishment or occupation named in section sixty, or for which an employment certificate is required, for more than six days in any one week, or more than forty-eight hours in any one week, or more than eight hours in any one day, or before half past six o'clock in the morning, or after six o'clock in the evening. The time spent by such a minor in a continuation school or course of instruction as required by section twenty-two of chapter seventy-one shall be reckoned as a part of the time he is permitted to work.

G. L. 149, § 65, amended.

Hours of labor of minors under sixteen.

SECTION 2. Section eighty-six of said chapter one hundred and forty-nine is hereby amended by inserting after the word "establishment", in the third and fourth lines, the words: — or in any employment as defined in section one, other than street trades as defined in sections sixty-nine to seventy-three, inclusive, — by inserting after the word "workshop", in the thirteenth line, the words: — , or any employment as defined in section one, — by inserting after the word "employment", in the fourteenth line, the words: — Children between fourteen and sixteen employed in private domestic service or service on farms shall be required to secure a special certificate issued by the superintendent of schools covering such employment, — and also by inserting before the word "certificate", in the fifteenth line, the words: — or special, — so as to read as follows: — *Section 86.* No person shall employ a child between fourteen and sixteen or permit him to work in, about or in connection with any factory, workshop, manufacturing, mechanical or mercantile establishment or in any employment as defined in section one, other than street trades as defined in sections sixty-nine

G. L. 149, § 86, amended.

Employment of children between fourteen and sixteen without employment certificate, etc., forbidden.

to seventy-three, inclusive, unless the person employing him procures and keeps on file, accessible to the attendance officers of the town, to agents of the department of education, and to the department of labor and industries or its authorized agents or inspectors, the employment certificate issued to such child, and keeps a complete list of the names and ages of all such children employed therein conspicuously posted near the principal entrance of the building where they are employed; provided, that pupils in co-operative courses in public schools may be employed by any co-operating factory, manufacturing, mechanical or mercantile establishment or workshop, or any employment as defined in section one, upon securing from the superintendent of schools a special certificate covering this type of employment. Children between fourteen and sixteen employed in private domestic service or service on farms shall be required to secure a special certificate issued by the superintendent of schools covering such employment. On termination of the employment of a child whose employment or special certificate is on file, said certificate shall be returned by the employer within two days after said termination to the office of the superintendent of schools or school committee from which it was issued.

Any person who retains an employment certificate contrary to this section shall be punished by a fine of not less than ten nor more than one hundred dollars.

G. L. 149, § 94,
amended.

Employment
or educational
certificate, etc.,
to be shown on
request of
officials.

SECTION 3. Section ninety-four of said chapter one hundred and forty-nine is hereby amended by striking out, in the third and fourth lines, the words "factories, workshops, manufacturing, mechanical or mercantile establishments", and inserting in place thereof the words:— any establishment or occupation for which employment or educational certificates are required, — so as to read as follows:— *Section 94.* Inspectors, agents of the department of education and attendance officers may require that the employment or educational certificates and lists of minors employed in any establishment or occupation for which employment or educational certificates are required shall be produced for their inspection. A failure so to do upon request shall be prima facie evidence of the illegal employment of any minor whose certificate is not produced or whose name is not so listed.

Approved May 2, 1921.

AN ACT RELATIVE TO DIRECTORS IN TRUST COMPANIES. *Chap.352*

Be it enacted, etc., as follows:

Section fourteen of chapter one hundred and seventy-two of the General Laws is hereby amended by inserting after the word "stockholder", in the second line, the words: — of record, — so as to read as follows: — *Section 14.* No person shall be a director in any such corporation unless he is a stockholder of record holding not less than ten shares of unpledged stock therein. A majority of the directors shall be citizens of and resident in the commonwealth and not more than one third of the directors shall be directors in any other such corporation.

G. L. 172, § 14, amended.

Directors in trust companies, qualifications.

Approved May 2, 1921.

AN ACT AUTHORIZING THE CITY OF QUINCY TO PROCURE PLANS FOR CONSTRUCTION WORK WITHOUT ADVERTISING. *Chap.353*

Be it enacted, etc., as follows:

SECTION 1. The city of Quincy may procure plans for construction work without inviting proposals for the same by advertising as provided in section twenty-eight of chapter forty-three of the General Laws or the corresponding provisions of earlier laws.

Quincy need not advertise to procure plans for construction work.

SECTION 2. This act shall take effect upon its passage.

Approved May 3, 1921.

AN ACT ENTITLING STUDENT NURSES OF THE MEDICAL DEPARTMENT OF THE UNITED STATES ARMY DURING THE WORLD WAR TO RECEIVE THE STATE BONUS. *Chap.354*

Be it enacted, etc., as follows:

Every person who served as a student nurse with the medical department of the United States army during the world war shall be entitled to the benefits of chapter two hundred and eighty-three of the General Acts of nineteen hundred and nineteen and any acts in amendment thereof and in addition thereto.

Certain student nurses entitled to state bonus.

Approved May 3, 1921.

Chap.355 AN ACT ESTABLISHING THE SALARIES OF THE JUSTICE AND CLERKS OF THE MUNICIPAL COURT OF THE CHARLESTOWN DISTRICT IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

G. L. 218, § 76,
amended.

SECTION 1. Section seventy-six of chapter two hundred and eighteen of the General Laws is hereby amended by adding at the end thereof the following: — The salary of the justice of the municipal court of the Charlestown district shall be four thousand dollars, — so as to read as follows: — *Section 76.* The salary of the justice of the Boston juvenile court shall be four thousand dollars, and that of the clerk of said court three thousand dollars. The salary of the justice of the municipal court of the Charlestown district shall be four thousand dollars.

Salaries in
certain Boston
courts.

G. L. 218, § 80,
amended.

SECTION 2. Said chapter two hundred and eighteen is hereby amended by striking out section eighty and inserting in place thereof the following: — *Section 80.* The salary of the clerk of the municipal court of the Charlestown district shall be equal to seventy-five per cent of the salary established for the justice of said court, and the salary of the first assistant clerk shall be equal to seventy-five per cent, and the salary of the second assistant clerk shall be equal to sixty per cent, of the salary of said clerk.

Salaries of clerk
and assistant
clerks in mu-
nicipal court of
Charlestown
district.

To be sub-
mitted to
Boston city
council, etc.
Proviso.

SECTION 3. This act shall take effect upon its acceptance by the city council of the city of Boston, subject to the provisions of its charter; provided that such acceptance occurs prior to December thirty-first in the current year.

Approved May 3, 1921.

Chap.356 AN ACT RELATIVE TO THE LICENSING BOARD OF THE CITY OF PITTSFIELD.

Be it enacted, etc., as follows:

Certain duties
of Pittsfield
licensing board
not to vest in
aldermen.

SECTION 1. So much of section eight of chapter one hundred and thirty-eight of the General Laws as provides that whenever a city shall not vote to authorize the granting of licenses for the sale of certain non-intoxicating beverages the powers and duties of its licensing board in respect to third and fourth class licenses and licenses of innholders and common victuallers shall vest in its aldermen, shall not apply to the city of Pittsfield, and the licensing board of said city, and its successors in office, shall be vested with all the powers and

duties exercised by licensing boards in cities that vote to grant licenses under the provisions of said chapter one hundred and thirty-eight, notwithstanding any vote of said city not to grant such licenses. Except as herein otherwise provided, sections four to nine, inclusive, of said chapter one hundred and thirty-eight shall continue to apply to said city.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to city council, etc.
Proviso.

Approved May 3, 1921.

AN ACT PROVIDING FOR THE APPOINTMENT OF SCHOOL NURSES IN THE PUBLIC SCHOOLS. Chap. 357

Be it enacted, etc., as follows:

SECTION 1. Chapter seventy-one of the General Laws is hereby amended by striking out section fifty-three and inserting in place thereof the following: — *Section 53.* The school committee shall appoint one or more school physicians and nurses, shall assign them to the public schools within its jurisdiction, shall provide them with all proper facilities for the performance of their duties and shall assign one or more physicians to the examination of children who apply for health certificates required by section eighty-seven of chapter one hundred and forty-nine, but in cities where the medical inspection hereinafter prescribed is substantially provided by the board of health, said board shall appoint and assign the school physicians and nurses. The department may exempt towns having a valuation of less than one million dollars from so much of this section as relates to school nurses.

G. L. 71, § 53, amended.

School physicians and nurses, appointment, etc.

Certain towns exempt.

SECTION 2. Said chapter seventy-one is hereby further amended by inserting after section fifty-three the following new sections: — *Section 53A.* A superintendency district formed and conducted under the provisions of section sixty, or a superintendency union formed and conducted under the provisions of sections sixty-one to sixty-four, inclusive, may employ one or more school physicians and may employ one or more school nurses; determine the relative amount of service to be rendered by each in each town; fix the compensation of each person so employed; apportion the payment thereof among the several towns; and certify the re-

G. L. 71, new sections after § 53.

School physicians and nurses in a superintendency district, appointment, etc.

Removal.

spective shares to the several town treasurers. A school physician or nurse so employed may be removed by a two thirds vote of the full membership of the joint committee. *Section 53B.* The towns comprised in a superintendency district or union employing, to the satisfaction of the department, one or more school physicians and nurses in accordance with the provisions of section fifty-three A shall be exempt from the provisions of section fifty-three requiring the appointment of such persons. *Approved May 3, 1921.*

Certain towns exempt.

Chap.358 AN ACT PROVIDING FOR THE REGISTRATION OF COLLECTORS OF GARBAGE, OFFAL AND OTHER OFFENSIVE SUBSTANCES.

Be it enacted, etc., as follows:

G. L. 111, new section, after § 31.

Registration of garbage collectors, etc.

Provisos.

SECTION 1. Chapter one hundred and eleven of the General Laws is hereby amended by inserting after section thirty-one the following new section: — *Section 31A.* Any person may remove or transport garbage, offal or other offensive substances through the streets; provided that he shall first register with the local board of health, the fee for which registration shall not exceed two dollars; and provided, further, that he shall remove and transport the material herein mentioned in accordance with such reasonable rules and regulations as may be established by the said board.

Existing contracts not to be impaired.

SECTION 2. Nothing contained in this act shall be construed to impair the obligation of any existing contract for the removal or transportation of garbage, offal or other offensive substances. *Approved May 3, 1921.*

Chap.359 AN ACT MAKING CERTAIN CHANGES IN THE MILITIA LAW.

Be it enacted, etc., as follows:

G. L. 33, § 28, amended.

Adjutant general, salary, etc.

SECTION 1. Chapter thirty-three of the General Laws is hereby amended by striking out section twenty-eight and inserting in place thereof the following: — *Section 28.* The adjutant general shall receive a salary of forty-one hundred dollars. He may detail such officers of appropriate rank and may employ such clerks and other assistants as may be necessary in his department at an expense not exceeding the amount annually appropriated therefor.

G. L. 33, § 86, amended.

Chief surgeon, salary, duties, etc.

SECTION 2. Said chapter thirty-three is hereby further amended by striking out sub-section (a) of section eighty-six and inserting in place thereof the following: — (a) Except when ordered on duty under section twenty-nine or thirty,

the chief surgeon shall receive a salary of fifteen hundred dollars; and, subject to the orders of the commander-in-chief, shall have general supervision and control of all matters pertaining to the medical department of the land forces, and shall prescribe the physical and mental disabilities exempting from military duty. He shall purchase and issue all medical and hospital supplies, and perform such other official duties as the commander-in-chief directs. For services rendered to the commissioner of state aid and pensions in cases of state or military aid and soldiers' relief he may receive such compensation, not exceeding twelve hundred dollars per annum, as said commissioner shall approve.

Commissioner of state aid and pensions to approve compensation.

SECTION 3. Said chapter thirty-three is hereby further amended by striking out sub-section (a) of section one hundred and fifty-four and inserting in place thereof the following:— (a) There shall annually be allowed and paid by the commonwealth from such sums as may be hereafter appropriated for the maintenance of the United States and state draft or riding animals, used for military organizations authorized to be mounted, a sum not exceeding fifteen dollars each month for every such animal owned by such organization or by individual members thereof and used for military purposes. Such allowance to an organization maintaining horses under this section shall be for forage, care and maintenance, and shall be in lieu of any allowance for instruction in riding provided for by section one hundred and fifty-seven. The commander-in-chief shall, by order, prescribe the conditions and regulations relative to the use and maintenance of such horses, which shall be complied with before the allowance shall be paid.

G. L. 33, § 154, amended.

Annual appropriation and regulations for maintenance of state draft and riding animals, etc.

Approved May 3, 1921.

AN ACT PROVIDING FOR PHYSICAL TRAINING FOR PUPILS IN THE ELEMENTARY AND SECONDARY SCHOOLS OF THE COMMONWEALTH.

Chap. 360

Be it enacted, etc., as follows:

Section one of chapter seventy-one of the General Laws is hereby amended by striking out the word "and", after the word "hygiene", in the tenth line, and by inserting after the word "behavior", in said line, the following: — , indoor and outdoor games and athletic exercise, — so as to read as follows:— *Section 1.* Every town shall maintain, for at least one hundred and sixty days in each school year unless specifically exempted as to any one year by the department

G. L. 71, § 1, amended.

Maintenance of public schools.

of education, in this chapter called the department, a sufficient number of schools for the instruction of all children who may legally attend a public school therein. Such schools shall be taught by teachers of competent ability and good morals, and shall give instruction and training in orthography, reading, writing, the English language and grammar, geography, arithmetic, drawing, the history of the United States, the duties of citizenship, physiology and hygiene, good behavior, indoor and outdoor games and athletic exercise. In connection with physiology and hygiene, instruction as to the effects of alcoholic drinks and of stimulants and narcotics on the human system, and as to tuberculosis and its prevention, shall be given to all pupils in all schools under public control, except schools maintained solely for instruction in particular branches. Such other subjects as the school committee considers expedient may be taught in the public schools.

Approved May 3, 1921.

Chap. 361 AN ACT IMPOSING A MINIMUM EXCISE TAX FOR THE CURRENT YEAR UPON FOREIGN AND DOMESTIC BUSINESS CORPORATIONS.

Emergency
preamble.

Whereas, The deferred operation of this act would cause substantial reduction in the revenue of the commonwealth and of its cities and towns, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Minimum excise
tax for current
year imposed
on foreign and
domestic busi-
ness corpora-
tions.

SECTION 1. The tax assessed in the year nineteen hundred and twenty-one in accordance with the provisions of section thirty-two of chapter sixty-three of the General Laws and the tax assessed against any foreign corporation in accordance with the provisions of section thirty-nine of said chapter sixty-three shall be not less than an amount equal to one twentieth of one per cent of the said corporation's gross receipts from business assignable to this commonwealth as defined in clause six of section thirty-eight of said chapter sixty-three.

Certain laws
relating to
taxes appli-
cable.

SECTION 2. All provisions of chapters fifty-eight and sixty-three of the General Laws relative to assessment, collection, payment, abatement, penalties, distribution and administration shall, so far as pertinent, be applicable to taxes under this act.

Approved May 7, 1921.

AN ACT AUTHORIZING THE CITY OF MELROSE TO INCUR IN- *Chap.362*
DEBTEDNESS FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of acquiring land for and the construction of school buildings and for the purpose of originally equipping and furnishing said buildings, the city of Melrose may, from time to time, borrow such sums as may be necessary not exceeding, in the aggregate, two hundred thousand dollars and may issue bonds or notes therefor which shall bear on their face the words, Melrose School Loan, Act of 1921. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall otherwise be subject to chapter forty-four of the General Laws.

SECTION 2. This act shall take effect upon its passage.
Approved May 7, 1921.

AN ACT RELATIVE TO THE BOSTON TERMINAL COMPANY. *Chap.363*

Be it enacted, etc., as follows:

SECTION 1. Section two of chapter five hundred and sixteen of the acts of eighteen hundred and ninety-six is hereby amended by inserting after the word "Company", in the third line, the words:—its lessee, the New York Central Railroad Company, — and also by inserting after the word "for", in the eighth line, the words: — or purchase, — so as to read as follows:— *Section 2.* The capital stock of said corporation shall be five hundred thousand dollars, and the Boston and Albany Railroad Company, its lessee, the New York Central Railroad Company, the New England Railroad Company, the Boston and Providence Railroad Corporation, the Old Colony Railroad Company, and the New York, New Haven and Hartford Railroad Company, being lessee of the Old Colony Railroad Company, may each subscribe for or purchase and hold one fifth portion of the said capital stock. The corporation may by by-laws regulate the terms and conditions upon which its stock may be transferred. All said capital stock shall be paid in in cash by said railroad companies before the corporation takes any land under the provisions of this act.

SECTION 2. During the existence of the lease of the Boston and Albany Railroad to the New York Central Rail-

Melrose School
Loan, Act of
1921.

1896, 516, § 2,
amended.

Boston Ter-
minal Com-
pany, capital
stock, etc.

New York
Central Rail-
road Company

may exercise
certain powers,
etc.

road Company authorized by chapter four hundred and sixty-eight of the acts of nineteen hundred, the New York Central Railroad Company shall exercise all the powers conferred upon the Boston and Albany Railroad Company under the provisions of said chapter five hundred and sixteen of the acts of eighteen hundred and ninety-six, as amended.

Approved May 7, 1921.

Chap.364 AN ACT ESTABLISHING THE SALARIES OF JUDGES AND REGISTRARS OF PROBATE IN THE COUNTIES OF DUKES AND NANTUCKET.

Be it enacted, etc., as follows:

G. L. 217, § 37,
amended.

Salaries of
judges, etc., in
Dukes and
Nantucket
counties.

Chapter two hundred and seventeen of the General Laws is hereby amended by striking out section thirty-seven and inserting in place thereof the following:— *Section 37.* In Dukes and Nantucket counties the salaries of the judges of probate and the registers shall be as follows: judges, two thousand dollars; registers, fifteen hundred dollars.

Approved May 7, 1921.

Chap.365 AN ACT PROVIDING FOR THE REGISTRATION OF DENTAL INTERNES.

Be it enacted, etc., as follows:

G. L. 112, new
section after
§ 45.

Registration of
dental internes.

Chapter one hundred and twelve of the General Laws is hereby amended by adding after section forty-five the following new section:— *Section 45A.* An applicant for limited registration under this section who shall furnish the board with proof entitling him to be examined for registration under the preceding section and with satisfactory proof that he has been appointed a dental interne in a hospital or other institution maintained by the commonwealth or by a county or municipality thereof, or in a hospital or dental infirmary incorporated under the laws of this commonwealth may, upon payment of five dollars, be registered by the board as a dental interne for one year; but such limited registration shall entitle said applicant to practice dentistry only in the hospital or other institution designated on his registration and under the direction of a registered dentist employed therein. Limited registration under this section may be revoked at any time by the board.

Approved May 7, 1921.

Revocation.

AN ACT AUTHORIZING TOWNS TO BORROW MONEY FOR HIGHWAY PURPOSES IN ANTICIPATION OF STATE OR COUNTY REIMBURSEMENT. Chap. 366

Be it enacted, etc., as follows:

Chapter forty-four of the General Laws is hereby amended by inserting after section six the following new section:—

Section 6A. If a town has appropriated a sum of money for the purpose of constructing or repairing a highway, to be used with a sum or sums allotted by the division of highways or the county commissioners or by both, and is required primarily to pay that proportion of the expense for which reimbursement is to be received from the commonwealth or county or both, such reimbursement first having been agreed upon by said division or the county commissioners, for the purpose of providing the necessary funds to meet the expense for which reimbursement is to be made the treasurer of the town may, with the approval of the selectmen, incur debt outside the debt limit and issue notes therefor for a period not exceeding one year from their dates; and the proceeds of such reimbursement shall be applied to the discharge of the loan.

Approved May 7, 1921.

G. L. 44, new section after § 6.

Cites and towns may borrow for highway purposes, to be reimbursed by state or county.

AN ACT ESTABLISHING THE SALARY OF THE FIRST ASSISTANT CLERK IN THE LEGISLATIVE DOCUMENT ROOM. Chap. 367

Be it enacted, etc., as follows:

SECTION 1. Section eighteen of chapter three of the General Laws is hereby amended by striking out, in the tenth line, the word "thirteen", and inserting in place thereof the word:— fifteen, — so as to read as follows:— *Section 18.* There shall be a doorkeeper for each branch, each at a salary of two thousand dollars, and such assistant doorkeepers as it may direct, each at a salary of seventeen hundred dollars; a postmaster at a salary of eighteen hundred dollars; an assistant postmaster; messengers, each at a salary of fifteen hundred dollars; pages whose compensation shall be six hundred dollars each for the regular annual session and a sum not exceeding three dollars for each day's service after said session; a clerk to take charge of the legislative document room at a salary of eighteen hundred dollars, an assistant clerk of said room at a salary of fifteen hundred dollars, and such assistants therein as may be necessary, for

G. L. 3, § 18, amended.

Certain employees of the sergeant-at-arms. Salaries.

whose fitness and good conduct the sergeant-at-arms shall be responsible.

Time of taking effect.

SECTION 2. The increase in salary provided for in this act shall not take effect until an appropriation has been made sufficient to cover the same, and then as of June first in the current year.

Approved May 7, 1921.

Chap. 368 AN ACT PROVIDING FOR SUITS BY AND AGAINST CERTAIN VOLUNTARY ASSOCIATIONS.

Be it enacted, etc., as follows:

G. L. 182, § 1, amended.

SECTION 1. Section one of chapter one hundred and eighty-two of the General Laws is hereby amended by striking out the first paragraph and inserting in place thereof the following: — *Section 1.* The following words, as used in sections two to eleven, inclusive, shall have the following meanings:

Definitions.

G. L. 182, new section after § 11.

Certain voluntary associations may sue and be sued, etc.

SECTION 2. Said chapter one hundred and eighty-two is hereby amended by adding at the end thereof the following new section: — *Section 12.* Any voluntary association composed of five or more persons and not subject to sections one to eleven, inclusive, may sue or be sued in its common name but the separate real or personal estate of any individual member of such association shall not be subject to attachment or execution in any suit under this section against such association.

G. L. 223, § 40, amended.

SECTION 3. Section forty of chapter two hundred and twenty-three of the General Laws is hereby amended by inserting after the word “in”, at the beginning of the second line the words: — section one of, — so as to read as follows: — *Section 40.* In an action against a voluntary association described in section one of chapter one hundred and eighty-two, engaged in business in the commonwealth, service may be made upon any trustee thereof.

Service may be made upon a trustee.

G. L. 223, new section after § 40.

Service upon officers of certain voluntary associations.

SECTION 4. Said chapter two hundred and twenty-three is hereby amended by inserting after section forty the following new section: — *Section 40A.* In an action against a voluntary association described in section twelve of chapter one hundred and eighty-two service may be made upon its president, secretary, treasurer, manager or other officer in charge of its business in this commonwealth.

Approved May 9, 1921.

AN ACT AUTHORIZING THE CITY OF REVERE TO INCUR IN- *Chap.369*
DEBTEDNESS FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. Chapter two hundred and ninety-three of the 1920, 293, § 1,
acts of nineteen hundred and twenty is hereby amended by amended.
striking out section one and inserting in place thereof the fol-
lowing: — *Section 1.* The city of Revere, for the purposes Revere School
of acquiring land, of constructing, equipping and furnishing Loan, Act of
school buildings thereon, and of making additions to school 1920.
buildings, and for furnishing and equipping such additions,

AN ACT VALIDATING THE ANNUAL TOWN MEETING OF THE *Chap.370*
TOWN OF ADAMS IN THE CURRENT YEAR.

Be it enacted, etc., as follows:

SECTION 1. The acts and proceedings of the town of Town meeting
Adams at the annual town meeting, or any adjournment of Adams in
thereof, in the current year, and all acts done in pursuance current year
thereof, are hereby confirmed and made valid, to the same validated.
extent as if the said meeting had been called, held and con-
ducted in strict compliance with law.

SECTION 2. This act shall take effect upon its passage.

Approved May 9, 1921.

AN ACT AUTHORIZING TOWNS TO APPROPRIATE MONEY FOR *Chap.371*
THE EMPLOYMENT OF NURSES AND THE MAINTENANCE OF
AMBULANCES.

Whereas, The deferred operation of this act would, in part, Emergency pre-
defeat its purpose, in that the larger towns of the state are amble.
prevented by existing law from making that provision for
the public health and safety which this act permits, therefore

whose fitness and good conduct the sergeant-at-arms shall be responsible.

Time of taking effect.

SECTION 2. The increase in salary provided for in this act shall not take effect until an appropriation has been made sufficient to cover the same, and then as of June first in the current year.

Approved May 7, 1921.

Chap. 368 AN ACT PROVIDING FOR SUITS BY AND AGAINST CERTAIN VOLUNTARY ASSOCIATIONS.

Be it enacted, etc., as follows:

Chapter 368, Acts of 1921.

Referendum petition filed May 12, 1921, and completed August 6, 1921.

See page 693.

be sued, etc.

to eleven, inclusive, may sue or be sued in its common name but the separate real or personal estate of any individual member of such association shall not be subject to attachment or execution in any suit under this section against such association.

G. L. 223, § 40, amended.

SECTION 3. Section forty of chapter two hundred and twenty-three of the General Laws is hereby amended by inserting after the word "in", at the beginning of the second line the words: — section one of, — so as to read as follows:

Service may be made upon a trustee.

— *Section 40*. In an action against a voluntary association described in section one of chapter one hundred and eighty-two, engaged in business in the commonwealth, service may be made upon any trustee thereof.

G. L. 223, new section after § 40.

Service upon officers of certain voluntary associations.

SECTION 4. Said chapter two hundred and twenty-three is hereby amended by inserting after section forty the following new section: — *Section 40A*. In an action against a voluntary association described in section twelve of chapter one hundred and eighty-two service may be made upon its president, secretary, treasurer, manager or other officer in charge of its business in this commonwealth.

Approved May 9, 1921.

AN ACT AUTHORIZING THE CITY OF REVERE TO INCUR IN- *Chap.369*
DEBTEDNESS FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. Chapter two hundred and ninety-three of the acts of nineteen hundred and twenty is hereby amended by striking out section one and inserting in place thereof the following:— *Section 1.* The city of Revere, for the purposes of acquiring land, of constructing, equipping and furnishing school buildings thereon, and of making additions to school buildings, and for furnishing and equipping such additions, may from time to time borrow such sums as may be necessary, not exceeding, in the aggregate, four hundred thousand dollars, and may issue bonds or notes therefor which shall bear on their face the words, Revere School Loan, Act of 1920. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall otherwise be subject to chapter forty-four of the General Laws.

1920, 293, § 1,
amended.

Revere School
Loan, Act of
1920.

SECTION 2. This act shall take effect upon its passage.

Approved May 9, 1921.

AN ACT VALIDATING THE ANNUAL TOWN MEETING OF THE *Chap.370*
TOWN OF ADAMS IN THE CURRENT YEAR.

Be it enacted, etc., as follows:

SECTION 1. The acts and proceedings of the town of Adams at the annual town meeting, or any adjournment thereof, in the current year, and all acts done in pursuance thereof, are hereby confirmed and made valid, to the same extent as if the said meeting had been called, held and conducted in strict compliance with law.

Town meeting
of Adams in
current year
validated.

SECTION 2. This act shall take effect upon its passage.

Approved May 9, 1921.

AN ACT AUTHORIZING TOWNS TO APPROPRIATE MONEY FOR *Chap.371*
THE EMPLOYMENT OF NURSES AND THE MAINTENANCE OF
AMBULANCES.

Whereas, The deferred operation of this act would, in part, defeat its purpose, in that the larger towns of the state are prevented by existing law from making that provision for the public health and safety which this act permits, therefore

Emergency pre-
amble.

it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health and safety.

Be it enacted, etc., as follows:

G. L. 40, § 5,
amended.

Employment of
nurses.

G. L. 40, § 5,
amended.

Maintenance
of ambulances.

SECTION 1. Section five of chapter forty of the General Laws is hereby amended by striking out sub-section twenty-one and inserting in place thereof the following: — (21) For the employment of district or other nurses.

SECTION 2. Section five of said chapter forty is hereby further amended by inserting after sub-section twenty-one the following new sub-section: — (21A) For the purchase or hire and for the maintenance of ambulances.

Approved May 9, 1921.

Chap. 372 AN ACT PERMITTING CERTAIN FOREIGN MUTUAL FIRE INSURANCE COMPANIES TO CONTINUE TO ISSUE NON-ASSESSABLE POLICIES.

Emergency
preamble.

Whereas, The deferred operation of this act would in part defeat its purpose and result in substantial public inconvenience and would be contrary to the public interest in that certain foreign mutual fire insurance companies would thereby be obliged to discontinue transacting business, owing to the fact that their licenses expire on June thirtieth, nineteen hundred and twenty-one, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. 175, § 150,
amended.

Foreign mutual
fire insurance
companies, ad-

Section one hundred and fifty of chapter one hundred and seventy-five of the General Laws is hereby amended by striking out, in the seventh line, the word "but", and inserting in place thereof the words: — provided, that, — and also by adding after the word "companies", in the ninth line, the words: — and provided, further, that the provisions of section eighty-one relative to the contingent mutual liability of members shall not apply to any foreign mutual fire company which had been admitted to transact business in the commonwealth prior to January first, nineteen hundred and twenty-one and was then actually transacting business therein without complying with said provisions, — so as to read as follows: — *Section 150.* Foreign companies, upon complying with the conditions herein set forth applicable to

such companies, may be admitted to transact in the commonwealth, as provided in section one hundred and fifty-seven, any kinds of business authorized by this chapter, subject to all general laws now or hereafter in force relative to insurance companies, and subject to all laws applicable to the transaction of such business by foreign companies and their agents; provided, that no provision of law which by its terms applies specifically to domestic life companies shall thereby become applicable to foreign life companies; and provided, further, that the provisions of section eighty-one relative to the contingent mutual liability of members shall not apply to any foreign mutual fire company which had been admitted to transact business in the commonwealth prior to January first, nineteen hundred and twenty-one and was then actually transacting business therein without complying with said provisions.

mission to transact business in Massachusetts.

Provisos.

The license of any such foreign company shall expire on June thirtieth of each year, unless sooner revoked or suspended as provided in section five, but may be renewed by the commissioner on or before that date on written application of the company.

Time when license expires.

Approved May 9, 1921.

AN ACT TO AMEND THE CHARTER OF THE CITY OF MALDEN. *Chap. 373*
Be it enacted, etc., as follows:

SECTION 1. The inhabitants of the city of Malden shall continue to be a body politic and corporate under the name of the City of Malden, and as such shall have, exercise and enjoy all the rights, immunities, powers and privileges, and shall be subject to all the duties and obligations now incumbent upon and pertaining to said city as a municipal corporation, except as hereinafter provided.

City of Malden, charter amended.

SECTION 2. The administration of all the fiscal, prudential and municipal affairs of said city and the government thereof, except as to the powers and duties conferred by statute upon the assessors, city clerk, school committee and upon the police commissioner, the fire commissioner, the street and water commission, the controller of accounts, and the board of appeal, which are established by special statutes, shall be vested in an executive department which shall consist of one officer to be called the mayor, and in a legislative department, which shall consist of a single body of eleven members, to be called the city council. The legislative department shall never exercise any executive power, and the

Mayor and city council, to constitute executive and legislative departments.

executive department shall never exercise any legislative power, except as otherwise provided herein.

Date of city election, etc.

SECTION 3. The election of city and ward officers shall take place on the second Tuesday of December in nineteen hundred and twenty-two and nineteen hundred and twenty-three and biennially thereafter in every odd-numbered year. The municipal year shall begin on the first Monday of January in each year.

Mayor and councillors, election, term, etc.

SECTION 4. The mayor shall be elected by and from the qualified voters of the city.

The qualified voters of each ward of the city shall elect from their own number one councillor and the remaining members of the city council shall be elected at large by and from the qualified voters of the city.

At the first regular city election held after the acceptance of this act, the mayor and councillors shall be elected to serve for the term of one year, and thereafter, beginning with the election in nineteen hundred and twenty-three the mayor and councillors shall be elected to serve for terms of two years, beginning with the first Monday of January following their election, and until their successors are elected and qualified.

Certain vacancies, how filled.

SECTION 5. If a vacancy occurs in the office of mayor or councillor before the last six months of the term of office, the mayor or acting mayor and councillors shall order an election for a mayor or a member of the city council, as the case may be, to serve for the unexpired term; and if a vacancy occurs in the office of mayor during the last six months of his term, the president of the city council shall succeed to the office of mayor.

City council, choice of president, etc.

SECTION 6. The city council shall be the judge of the election and qualifications of its members, and shall, from time to time, establish rules for its proceedings. It shall, from its own membership, elect a president who shall be the presiding officer at all its meetings. If for seven consecutive days the mayor shall have been absent or unable from any cause, and in case of illness the certificate of the city physician shall be conclusive evidence thereof, to perform his duties they shall be performed by the president of the city council. If the president of the city council is also absent or unavailable, or unable from any cause so to serve, and such certificate shall be conclusive evidence thereof in case of illness, the said duties shall be performed, until the mayor or president returns or is able to attend to said duties, by

President of council as "acting mayor", powers, duties, etc.

such member of the city council as that body may elect, and until such election, by the city clerk. The person upon whom the said duties shall devolve shall be called "acting mayor", and he shall possess the powers of mayor only in matters not admitting of delay, and shall have no power to make permanent appointments except upon the death or resignation of the mayor and then only for the period intervening until a new election of mayor is had, except in case the president of the city council succeeds to the office of the mayor as provided in section five, in which event he shall be clothed with all the authority of the office of mayor for the remainder of the term.

SECTION 7. The mayor shall: —

1. Be the administrative head of the city government;
2. See that within the city the laws of the commonwealth, and the ordinances, resolutions and regulations of the city council are faithfully executed;
3. From time to time recommend for adoption such measures as he shall deem expedient;
4. Make reports to the city council from time to time upon the affairs of the city; keep the city council advised of the city's financial condition and future financial needs;
5. Appoint or remove, with confirmation or consent, as the case may be, of the city council, all heads of departments and other city officials whose appointment, election or removal is not otherwise specifically provided for by statute or ordinance.

Mayor,
powers, duties,
etc.

SECTION 8. The mayor shall receive for his services such salary as the city council shall by ordinance determine, not exceeding twenty-five hundred dollars a year, and shall receive no other compensation from the city. His salary shall not be increased or diminished during the term for which he is elected.

Mayor's salary.

SECTION 9. No member of the city council shall, during the term for which he is elected, hold any other office or position the salary or compensation of which is payable out of the city treasury, nor shall he appear as counsel or act as attorney before the city council or any committee thereof.

City councillor,
not to hold any
other office,
etc.

SECTION 10. The city council shall, so far as consistent with this act, have and exercise all the legislative powers of towns and of the inhabitants thereof, and shall have and exercise all the powers now vested by law in the city of Malden and in the inhabitants thereof as a municipal corporation, and shall have all the powers and be subject to all

City council,
legislative
powers, etc.

the liabilities of city councils and of either branch thereof, and it may by ordinance prescribe the manner in which such powers shall be exercised. Its members shall receive no compensation for their services as members of the city council or of any committee thereof. Its sessions, whether acting as a city council or as a committee of the whole, shall be open to the public, and a journal of its proceedings shall be kept, which journal shall be subject to public inspection. The vote of the council upon any question shall be taken by roll call when the same is requested by at least three members. The affirmative votes of two thirds of all its members shall be necessary to pass any appropriation.

Passage of ordinances.

SECTION 11. No ordinance shall be passed finally on the date on which it is introduced, except in cases of special emergency involving the health or safety of the people or their property.

Emergency measures to be defined.

No ordinance shall be regarded as an emergency measure unless the emergency is defined and declared in a preamble thereto separately voted on and receiving the affirmative vote of two thirds of the members of the city council.

Granting of franchises, etc.

No ordinance making a grant, renewal or extension, whatever its kind or nature, of any franchise or special privilege shall be passed as an emergency measure, and except as provided in sections seventy and seventy-one of chapter one hundred and sixty-four and chapter one hundred and sixty-six of the General Laws, no such grant, renewal or extension shall be made otherwise than by ordinance.

Amendment or nullification of ordinances.

No ordinance or part thereof shall be amended or annulled except by an ordinance adopted in accordance with the provisions of this act.

Passage of ordinances, etc., at one session. Proviso.

Any ordinance, order or resolution may be passed through all its stages of legislation at one session; provided that not more than one member of the council objects thereto; but if two or more members of the council object, except as hereinafter provided, the measure, unless declared to be an emergency measure as hereinbefore defined, shall be postponed. Resolutions expressing the opinions or desires of the city council may be passed by a two thirds vote of the city council at any meeting.

Resolutions.

Ordinances, orders, etc., to be approved by mayor.

SECTION 12. Except as provided in chapter forty-four of the General Laws, every ordinance, order, resolution or vote of the city council, except on the question of the election of an officer, shall be presented to the mayor. If he approves it he shall signify his approval by signing the same, but if

he does not approve it he shall return it with his objections in writing to the city council, which shall enter the objections of the mayor at large on its records, and proceed to reconsider said ordinance, order, resolution or vote, and if after such reconsideration, by a two thirds vote, the city council, notwithstanding such objections, passes such ordinance, order, resolution or vote, the same shall be in force, but in all cases the vote shall be determined by yeas and nays, and if such ordinance, order, resolution or vote is not returned by the mayor within ten days after it has been presented to him, the same shall be in force.

Passage of ordinances, etc., over mayor's veto.

SECTION 13. The city council at any time may request from the mayor specific information on any municipal matter within its jurisdiction, and may request him to be present to answer written questions relating thereto at a meeting to be held not earlier than one week from the date of the receipt by the mayor of said questions. The mayor shall personally, or may designate a head of a department or a member of a board to attend such meeting and publicly answer all such questions. The person so attending shall not be obliged to answer questions relating to any other matter. The mayor at any time may attend and address the city council in person or through the head of a department or a member of a board upon any subject.

City council may request information of mayor, etc.

SECTION 14. The head of each department of the city shall, during the month of October of each year, submit to the mayor an estimate in detail of the amount deemed by him necessary to expend for the maintenance of his department during the ensuing municipal year. No expenditure shall be made by such department for any purpose beyond the specific appropriation made therefor by the city council.

Annually in October, estimates of departments to be submitted to the mayor.

SECTION 15. No contract for construction work, repairs, or for the purchase of apparatus, supplies or material, the estimated cost of which amounts to or exceeds one thousand dollars, except in cases of special emergency involving the health or safety of the people, or the safety of their property, shall be awarded unless proposals therefor by sealed bids have been invited by advertisement once a week for at least two consecutive weeks in at least one newspaper published in the city, the last publication to be at least one week before the time specified for the opening of the proposals. Such advertisement shall state the time and place where plans and specifications of the proposed work or supplies may be had, and the time and place for opening the proposals, all

Proposals for certain contracts to be advertised.

Contracts not
to be split, etc.

Certain con-
tracts to be ap-
proved by
mayor, etc.

Bond or other
security to ac-
company con-
tracts, etc.

Penalties.

Municipal
buildings, cer-
tain building
committee
to supervise
construction or
additions, etc.

School
buildings.

of which shall be opened in public, in answer to said advertisement, and shall reserve to the city the right to reject any or all proposals. No bill or contract shall be split or divided for the purpose of evading any provision of this section. This section shall not apply to any exercise of the police power or other power of the commonwealth by any public officer or board authorized by law to exercise such power.

SECTION 16. All contracts made by any department, board or commission in which the amount involved is one thousand dollars or more, or contracts involving less than one thousand dollars when required by ordinance, shall be in writing, and no such contract shall be deemed to have been made or executed until the approval of the mayor and of the department or board making the contract is affixed thereto. Any party to a contract made as aforesaid may be required to furnish a bond, with sureties satisfactory to the board or official making the same, or secured by a deposit of money, certified check or other security, conditioned on the faithful performance of the contract, and such bond or other security shall be deposited with the city treasurer until the contract has in all respects been performed; and no such contract shall be altered except by a written agreement of the contractor, the sureties on his bond, and the officer, department or board making the contract, with the approval of the mayor affixed thereto.

A violation of this section shall render the contract in respect to which such violation occurs voidable at the option of the city. Any person violating any provision of this section shall be punished by a fine of not more than one thousand dollars, or by imprisonment for not more than one year, or by both such fine and imprisonment.

SECTION 17. Whenever the city council shall authorize the erection and construction of a new municipal building for the use of any city department or an addition to any municipal building where such addition increases the floor space of said buildings, involving the expenditure of more than one thousand dollars, the same shall be erected and constructed under the supervision of a building committee consisting of the mayor, the head of the department for whose use said building or addition is to be used, the inspector of buildings, and two members of the city council to be appointed by the mayor, except that in case of the erection, construction, alteration or repair of school buildings said committee shall be composed of the mayor, chairman of the

school committee, inspector of buildings, one member of the city council to be appointed by the mayor and one member of the school committee to be appointed by the chairman thereof.

The school committee, in addition to the powers and duties pertaining by law to school committees, may provide, when they are necessary, temporary accommodations for school purposes, and shall have control of all school buildings and of the grounds connected therewith, and may make all repairs, the expenditures for which are made from the regular appropriation for the school department.

School committee, certain powers and duties.

No site for a school building shall be acquired by the city unless first approved by the school committee. No plans for the construction of or alterations in a school building shall be accepted, and no work shall be begun on the construction or alteration of a school building, unless the approval of the school committee and the mayor therefor is first obtained. Nothing herein contained shall require such approval for the making of ordinary repairs.

To approve plans, etc., for school buildings.

SECTION 18. All ordinances, resolutions, orders or other regulations of said city, or of any authorized body or official thereof, existing at the time when this act is accepted, shall continue in full force and effect until annulled, repealed, modified or superseded.

Ordinances, etc., to continue until annulled, etc.

Until superseded under the provisions of this act, the organization of the executive and administrative departments, and the powers and duties of the officers and employees of said city, shall remain as constituted at the time of the acceptance of this act, but the mayor and city council may at any time by ordinance not inconsistent with the general laws, reorganize, consolidate or abolish departments, in whole or in part, except that the offices of city clerk, controller of accounts, assessors of taxes, school committee, police and fire commissioners, street and water commission and board of appeal may not be abolished, but other duties not inconsistent with existing laws may be assigned to them from time to time; and the mayor and city council may establish new departments, and may increase, reduce, establish or abolish salaries of heads of departments or members of boards.

Executive and administrative departments, organization, etc.

SECTION 19. Except as otherwise provided herein, all officers, heads of departments, or boards now appointed or elected by the mayor or the city council under existing law, shall respectively continue to hold their offices until their

Present officers, boards, etc., to continue until, etc.

present terms of office shall expire or until they resign or are removed.

Existing obligations, contracts, taxes, penalties, etc., enforceable, etc.

SECTION 20. All official bonds, recognizances, obligations, contracts and all other instruments entered into or executed by or to the city of Malden before this act takes effect, and all taxes, special assessments, fines, penalties and forfeitures incurred or imposed, due or owing to the city shall be enforced and collected, and all writs, prosecutions, actions and causes of action, except as otherwise provided herein, shall continue without abatement and remain unaffected by this act; and no legal act done by or in favor of the city shall be rendered invalid by the acceptance of this act.

Certain officials, terms of office fixed.

SECTION 21. Beginning with March first, nineteen hundred and twenty-two, the term of office of the following named officers shall be two years, viz.: — city forester, city physician, city messenger, city engineer, city solicitor, clerk of committees, soldiers' relief commissioner and inspector of buildings.

Civil service laws not applicable to certain appointees of mayor.

SECTION 22. The civil service laws shall not apply to the appointment of the mayor's secretaries or of the stenographers, clerks, telephone operators and messengers connected with his office, and the mayor may remove such appointees without a hearing and without making a statement of the cause for their removal.

Certain officials not to make or share in contracts with city, unless, etc.

SECTION 23. It shall be unlawful for the mayor or for a member of the city council or school committee or for any officer or employee of the city, directly or indirectly, to make a contract with the city, or to receive any commission, discount, bonus, gift, contribution or reward from or any share in the profits of any person or corporation, making or performing such a contract, unless the mayor, such member, officer or employee, immediately upon learning of the existence of such contract, or that such a contract is proposed, shall notify in writing the mayor, city council or school committee of the nature of his interest in such contract, and shall abstain from doing any official act on behalf of the city in reference thereto. In case of such interest on the part of an officer whose duty it is to sign the contract on behalf of the city, the contract may be signed by any other officer of the city duly authorized thereto by the mayor, or if the mayor has such interest, by the city clerk; provided that when a contractor with the city is a corporation or a voluntary stock association, the ownership of less than five per cent of the stock or shares actually issued shall not be considered as

Proviso.

involving an interest in the contract within the meaning of this section, and such ownership shall not affect the validity of the contract unless the owner of such stock or shares is also an officer or agent of the corporation or association, or solicits or takes part in the making of the contract.

A violation of any provision of this section shall render the contract in respect to which such violation occurs voidable at the option of the city. Any person violating any provision of this section shall be punished by a fine of not more than one thousand dollars, or by imprisonment for not more than one year, or by both such fine and imprisonment. Penalty.

SECTION 24. The department heretofore known as the Board of Overseers of the Poor shall be designated as the Department of Public Welfare. Department of Public Welfare.

SECTION 25. There is hereby established a playground commission of five persons, who shall be appointed by the mayor, subject to confirmation by the city council, to serve for terms of three years. The commission shall have entire charge of the supervised play on the public parks and playgrounds of the city. Playground commission, established.

SECTION 26. The two members of the school committee elected in the year nineteen hundred and twenty-two shall serve for three years from the first Monday in January following their election. Beginning with the biennial election in the year nineteen hundred and twenty-three, members of the school committee shall be elected biennially for terms of four years from the first Monday in January following their election. The term of office of the member of the school committee elected in nineteen hundred and twenty-one, and whose term of office would expire under existing law in January, nineteen hundred and twenty-five, is hereby extended one year and his successor shall be elected at the biennial election in nineteen hundred and twenty-five for the term of four years. School committee, election term, etc.

SECTION 27. At the next regular city election in the city of Malden there shall be submitted to the voters thereof the question, — "Shall the city accept the provisions of chapter To be submitted to voters, etc.
of the acts of nineteen hundred and twenty-one,
entitled 'An Act to amend the charter of the city of Malden'?"
Vote yes or no.

Upon its acceptance by a majority of the voters voting thereon, this act shall take effect on the first Monday in January nineteen hundred and twenty-three, except as otherwise provided herein. Time of taking effect, if accepted.
Approved May 9, 1921.

Chap. 374 AN ACT REGULATING THE SALE OF CERTAIN ARTICLES AND THE CONTAINERS IN WHICH THEY MAY BE SOLD.

Be it enacted, etc., as follows:

G. L. 98, § 22,
amended.

Sale of certain
articles and
containers in
which sold
regulated.

Chapter ninety-eight of the General Laws is hereby amended by striking out section twenty-two and inserting in place thereof the following: — *Section 22.* Paper or fibre cartons which are used for the sale by measure of viscous or semi-solid commodities or mixtures of solids and liquids shall contain and shall be sold as containing one quart, one pint, one half pint or one gill, Massachusetts standard liquid measure. Such cartons shall be of such shape and dimensions as may be approved by the director. Whenever the shape and dimensions of any such carton have been so approved, the director may authorize the manufacturer to have printed thereon a statement of its capacity in terms of Massachusetts standard liquid measure, with the words "Approved by the Director of Standards for Massachusetts", and with such other marking as the director may require. Such cartons shall be legal measure only for such commodities as may be designated by the director and shall be exempt from the laws requiring the sealing of measures.

Approved May 9, 1921.

Chap. 375 AN ACT RELATIVE TO THE DISTRIBUTION OF CORPORATION TAXES AND INTEREST THEREON TO CITIES AND TOWNS.

Be it enacted, etc., as follows:

G. L. 58, new
section after
§ 24.

Distribution of
interest re-
ceived on over-
due corporation
taxes.

SECTION 1. Chapter fifty-eight of the General Laws is hereby amended by inserting after section twenty-four the following new section: — *Section 24A.* Interest received by the commonwealth on overdue taxes from corporations under section seventy of chapter sixty three, shall be distributed, credited and paid to the several towns in the same manner and proportions as the principal of such taxes is distributed, credited and paid.

G. L. 58, new
section after
§ 10.

State treasurer
to allow dis-
tribution of
certain taxes,
etc.

SECTION 2. Said chapter fifty-eight is hereby further amended by inserting after section ten the following new section: — *Section 10A.* The state treasurer shall allow, as an offset to any amount due the commonwealth from any town on November fifteenth in any year by way of the state tax, a sum equal to eighty per cent of the amount of any taxes to be distributed to such town under sections twenty

to twenty-four A, inclusive, that have been paid to the commonwealth on or before November first of that year, but which by reason of pending questions of abatement or otherwise cannot be immediately distributed.

SECTION 3. Section twenty-five of said chapter fifty-eight is hereby amended by inserting after the word "twenty-four", in the third line, the letter: — A, — so as to read as follows: — *Section 25.* The commissioner, subject to appeal to the board of appeal, shall ascertain and determine the amount due to each town under sections twenty to twenty-four A, inclusive, notify the treasurer of each town thereof and certify the amount, as finally determined, to the state treasurer, who shall thereupon pay the same.

G. L. 58, § 25, amended.

Commissioner to determine amounts due to cities and towns.

Approved May 9, 1921.

AN ACT RELATIVE TO THE TAXATION OF INCOMES RECEIVED
BY FIDUCIARIES FROM DEALINGS IN INTANGIBLE PERSONAL
PROPERTY.

Chap. 376

Be it enacted, etc., as follows:

SECTION 1. Section five of chapter sixty-two of the General Laws is hereby amended by striking out, in the twenty-fourth to thirty-fourth lines, inclusive, the words "; provided, that in the case of intangible personal property held by trustees or other fiduciaries, said excess shall be determined and the tax imposed by this section assessed and paid, at the time when such trust is terminated, but such trustee or other fiduciary may at his option include said excess in any return of income made prior to the termination of the trust, and the tax shall be assessed and paid as of the year in which the return is made. In case of trusts continuing for more than five years, said excess, if not previously returned, shall be included in a return of taxable income at least in every fifth year, and the tax shall be assessed and paid as of the year in which the return is made", — and also by striking out, in the thirty-fourth line, the word "such", so that subsection (c) will read as follows: — (c) The excess of the gains over the losses received by the taxpayer from purchases or sales of intangible personal property, whether or not said taxpayer is engaged in the business of dealing in such property, shall be taxed at the rate of three per cent per annum. Any trustee or other fiduciary may charge any taxes paid under this paragraph against principal in any accounting which he makes as such trustee.

G. L. 62, § 5, amended.

Tax on excess of gains, etc., from purchases, etc., of intangible personal property.

Same in case of trustee.

Time of taking
effect.
Application of
the act.

SECTION 2. This act shall take effect January first, nineteen hundred and twenty-two, and shall apply to all income the taxation of which has been postponed, and to all income received in the calendar year ending December thirty-first, nineteen hundred and twenty-one, and thereafter.

Approved May 9, 1921.

Chap.377 AN ACT REQUIRING THE USE OF LIGHTS ON BICYCLES.

Be it enacted, etc., as follows:

G. L. 85, § 13,
amended.

Use of bicycles
on highways.

Chapter eighty-five of the General Laws is hereby amended by striking out section thirteen and inserting in place thereof the following: — *Section 13.* Whoever, without such a permit, rides a bicycle in or upon a public way, square or park or land or driveway appurtenant to a public reservoir, at a rate of speed exceeding ten miles an hour, or rides it in or upon any such place without a suitable alarm bell adapted for use by the rider or, during the period from one half hour after sunset to one half hour before sunrise, without a light attached to the bicycle visible from the front and rear, or rides it on a sidewalk, shall be punished by a fine of not more than twenty dollars, and shall be further liable for all damages occasioned to any persons thereby; provided that proceedings for the enforcement of such penalty shall be commenced not later than sixty days after the offence is committed.

Approved May 9, 1921.

Chap.378 AN ACT RELATIVE TO THE CONSTRUCTION OF A RETAINING WALL ON THE METROPOLITAN PARKWAY IN THE CITY OF EVERETT.

Be it enacted, etc., as follows:

Metropolitan
Parks Main-
tenance Fund,
Boulevards.
Construction
in Everett of
retaining wall.

The metropolitan district commission is hereby ordered and directed to expend, from the Metropolitan Parks Maintenance Fund, Boulevards, a sum not exceeding twenty-five hundred dollars in the construction of a retaining wall on the western side of the metropolitan parkway in the city of Everett which lies between Main street and the Saugus branch of the Boston and Maine Railroad.

Approved May 9, 1921.

AN ACT RELATIVE TO THE TRIENNIAL EQUALIZATION AND APPORTIONMENT OF STATE AND COUNTY TAXES. Chap. 379

Be it enacted, etc., as follows:

SECTION 1. Section nine of chapter fifty-eight of the General Laws is hereby amended by striking out, in the second and third lines, the words "within the first week of the session of the general court, report in print to said general court", and inserting in place thereof the words:— on or before April first report to the general court, — so as to read as follows:— *Section 9.* In nineteen hundred and twenty-two and in every third year thereafter, the commissioner shall, on or before April first report to the general court an equalization and apportionment upon the several towns, of the number of polls, the amount of property, and the proportion of every one thousand dollars of state or county tax, including polls at one tenth of a mill each, which should be assessed upon each town.

G. L. 58, § 9,
amended.

Commissioner
to report ap-
portionment of
state and
county tax
triennially to
general court.

SECTION 2. Section ten of said chapter fifty-eight is hereby amended by striking out, in the sixth line, the words "corporate excess", and inserting in place thereof the words:— excise value as determined by the commissioner, — so as to read as follows:— *Section 10.* To aid in making the equalization and apportionment required by the preceding section, and to assist the general court to determine the amount of state tax to be imposed upon the several towns, the commissioner shall prepare and submit to the general court abstracts showing the amount of the corporate franchise value of domestic corporations, of the excise value as determined by the commissioner of domestic business and foreign corporations, and of the value of the shares of banks the shares of which are subject to taxation under section one of chapter sixty-three, represented by the taxes distributed according to law to each town. He may require from state and town officers such further returns and statements relative to the amount and value of taxable property in the several towns as he deems necessary. He shall to the best of his judgment and discretion prepare said equalization and apportionment upon the basis of the returns and statements provided for and authorized, and of any other information in his possession. He shall give notice of so much of said equalization and apportionment as may be prepared

G. L. 58, § 10,
amended.

Commissioner
to prepare ab-
stracts, obtain
information,
etc.

upon the basis of such other information in his possession to the assessors of any town affected thereby, and upon their request shall give his reasons therefor, and such information as he may properly divulge. *Approved May 9, 1921.*

Chap.380 AN ACT RELATIVE TO THE EMPLOYMENT BY THE AUDITOR OF THE COMMONWEALTH OF EXAMINERS OF ACCOUNTS.

Emergency
preamble.

Whereas, Delay in the taking effect of this act would cause great inconvenience to the department of the state auditor as well as to various state institutions, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

State auditor,
employment of
examiners of
accounts.

The employment of persons now upon the pay roll of the commonwealth, who were appointed under chapter four hundred and twenty-eight of the acts of nineteen hundred and twenty, may be continued notwithstanding any civil service rules to the contrary. *Approved May 11, 1921.*

Chap.381 AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF CERTAIN COUNTIES, FOR INTEREST, SINKING FUND AND SERIAL BOND REQUIREMENTS, FOR CERTAIN PERMANENT IMPROVEMENTS, AND GRANTING A COUNTY TAX FOR SAID COUNTIES.

Emergency
preamble.

Whereas, The deferred operation of this act would cause substantial inconvenience, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Appropriations
for maintenance of certain
counties, interest, sinking
fund and bond
requirements,
and certain
improvements,
and county
tax granted.

SECTION 1. The following sums are hereby appropriated for the counties hereinafter specified for the year nineteen hundred and twenty-one. No direct drafts against the account known as the reserve fund shall be made, but transfers from this account to other accounts may be made to meet extraordinary or unforeseen expenditures upon the request of the county commissioners and with the approval of the director of accounts.

SECTION 2.

Barnstable County.

Item		County tax, Barnstable.
1	For interest on county debt, a sum not exceeding thirteen thousand four hundred two dollars,	\$13,402 00
2	For reduction of county debt, a sum not exceeding forty-nine thousand nine hundred thirty-two dollars and thirty-eight cents,	49,932 38
3	For salaries of county officers and assistants, fixed by law, a sum not exceeding twelve thousand three hundred twenty dollars,	12,320 00
4	For clerical assistance in county offices, a sum not exceeding three thousand dollars,	3,000 00
5	For salaries and expenses of district courts, a sum not exceeding eleven thousand dollars,	11,000 00
6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding seven thousand dollars,	7,000 00
7	For criminal costs in the superior court, a sum not exceeding three thousand five hundred dollars,	3,500 00
8	For civil expenses in the supreme judicial and superior courts, a sum not exceeding three thousand five hundred dollars,	3,500 00
10	For transportation expenses of county and associate commissioners, a sum not exceeding one thousand dollars,	1,000 00
11	For medical examiners, inquests, and commitments of the insane, a sum not exceeding two thousand dollars,	2,000 00
12	For auditors, masters and referees, a sum not exceeding one thousand dollars,	1,000 00
14	For repairing, furnishing and improving county buildings, a sum not exceeding five thousand dollars,	5,000 00
15	For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding six thousand dollars,	6,000 00
16	For highways, including state highways, bridges and land damages, a sum not exceeding twenty thousand dollars,	20,000 00
19	For county aid to agriculture, a sum not exceeding five thousand dollars,	5,000 00
20	For the infirmary, a sum not exceeding forty-five thousand dollars,	45,000 00
23	For miscellaneous and contingent expenses of the current year, a sum not exceeding one thousand dollars,	1,000 00
24	For a reserve fund, a sum not exceeding two thousand dollars,	2,000 00

County tax, Barnstable.	Item	
	And the county commissioners of Barnstable county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of one hundred forty-six thousand four hundred eighty-eight dollars and one cent, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes,	\$146,488 01

Berkshire County.

County tax, Berkshire.		
	1 For interest on county debt, a sum not exceeding four thousand dollars,	\$4,000 00
	3 For salaries of county officers and assistants, fixed by law, a sum not exceeding twenty thousand dollars,	20,000 00
	4 For clerical assistance in county offices, a sum not exceeding seven thousand dollars,	7,000 00
	5 For salaries and expenses of district courts, a sum not exceeding thirty-three thousand dollars,	33,000 00
	6 For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding thirty thousand dollars,	30,000 00
	7 For criminal costs in the superior court, a sum not exceeding ten thousand dollars,	10,000 00
	8 For civil expenses in the supreme judicial and superior courts, a sum not exceeding seven thousand dollars,	7,000 00
	10 For transportation expenses of county and associate commissioners, a sum not exceeding five hundred dollars,	500 00
	11 For medical examiners, inquests, and commitments of the insane, a sum not exceeding four thousand five hundred dollars,	4,500 00
	12 For auditors, masters and referees, a sum not exceeding two thousand dollars,	2,000 00
	14 For repairing, furnishing and improving county buildings, a sum not exceeding four thousand dollars,	4,000 00
	15 For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding ten thousand dollars,	10,000 00
	16 For highways, including state highways, bridges and land damages, a sum not exceeding seventy-five thousand dollars,	75,000 00
	17 For law libraries, a sum not exceeding one thousand dollars,	1,000 00
	18 For training school, a sum not exceeding two thousand dollars,	2,000 00

Item		County tax, Berkshire.
19	For county aid to agriculture, a sum not exceeding eight thousand five hundred dollars, . . .	\$8,500 00
20	For the sanatorium (Hampshire county), a sum not exceeding five hundred dollars, . . .	500 00
21	For the care and maintenance of Greylock state reservation, a sum not exceeding five thousand dollars, . . .	5,000 00
	For the care and maintenance of Mount Everett state reservation, a sum not exceeding one thousand five hundred dollars, . . .	1,500 00
22	For pensions, a sum not exceeding two thousand dollars, . . .	2,000 00
23	For miscellaneous and contingent expenses of the current year, a sum not exceeding six thousand dollars, . . .	6,000 00
	And the county commissioners of Berkshire county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of one hundred eighty-three thousand six hundred seventeen dollars and fifty-one cents, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes, . . .	183,617 51

Bristol County.

		County tax, Bristol.
1	For interest on county debt, a sum not exceeding thirty-five thousand dollars, . . .	\$35,000 00
2	For reduction of county debt, a sum not exceeding fifty-four thousand dollars, . . .	54,000 00
3	For salaries of county officers and assistants, fixed by law, a sum not exceeding thirty-eight thousand dollars, . . .	38,000 00
4	For clerical assistance in county offices, a sum not exceeding forty thousand dollars, . . .	40,000 00
5	For salaries and expenses of district courts, a sum not exceeding eighty thousand dollars, . . .	80,000 00
6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding one hundred thousand dollars, . . .	100,000 00
7	For criminal costs in the superior court, a sum not exceeding twenty-five thousand dollars, . . .	25,000 00
8	For civil expenses in the supreme judicial and superior courts, a sum not exceeding twenty-five thousand dollars, . . .	25,000 00
10	For transportation expenses of county and associate commissioners, a sum not exceeding one thousand dollars, . . .	1,000 00
11	For medical examiners, inquests, and commitments of the insane, a sum not exceeding twelve thousand dollars, . . .	12,000 00

County tax, Bristol.	Item		
	12	For auditors, masters and referees, a sum not exceeding five thousand dollars,	\$5,000 00
	14	For repairing, furnishing and improving county buildings, a sum not exceeding fourteen thousand dollars,	14,000 00
	15	For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding fifty-two thousand dollars,	52,000 00
	16	For highways, including state highways, bridges and land damages, a sum not exceeding forty thousand dollars,	40,000 00
	17	For law libraries, a sum not exceeding seven thousand dollars,	7,000 00
	18	For training school, a sum not exceeding sixteen thousand dollars,	16,000 00
	19	For the agricultural school, a sum not exceeding fifty thousand dollars,	50,000 00
	22	For pensions, a sum not exceeding four thousand dollars,	4,000 00
	23	For miscellaneous and contingent expenses of the current year, a sum not exceeding two thousand five hundred dollars,	2,500 00
	24	For a reserve fund, a sum not exceeding six thousand dollars,	6,000 00
		And the county commissioners of Bristol county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of five hundred three thousand five hundred dollars, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes,	503,500 00

County of Dukes County.

County tax, Dukes County.			
	1	For interest on county debt, a sum not exceeding two hundred dollars,	\$200 00
	2	For reduction of county debt, a sum not exceeding two thousand dollars,	2,000 00
	3	For salaries of county officers and assistants, fixed by law, a sum not exceeding three thousand five hundred ninety-three dollars and thirty-one cents,	3,593 31
	4	For clerical assistance in county offices, a sum not exceeding five hundred dollars,	500 00
	5	For salaries and expenses of district courts, a sum not exceeding one thousand six hundred dollars,	1,600 00
	6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding six hundred dollars,	600 00

Item		County tax, Dukes county.
7	For criminal costs in the superior court, a sum not exceeding five hundred dollars,	\$500 00
8	For civil expenses in the supreme judicial and superior courts, a sum not exceeding eight hundred dollars,	800 00
10	For transportation expenses of county and associate commissioners, a sum not exceeding seventy dollars,	70 00
11	For medical examiners, inquests, and commitments of the insane, a sum not exceeding two hundred dollars,	200 00
12	For auditors, masters and referees, a sum not exceeding three hundred dollars,	300 00
14	For repairing, furnishing and improving county buildings, a sum not exceeding one thousand dollars,	1,000 00
15	For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding one thousand two hundred dollars,	1,200 00
16	For highways, including state highways, bridges and land damages, a sum not exceeding four thousand dollars,	4,000 00
22	For pensions, a sum not exceeding two hundred forty dollars,	240 00
23	For miscellaneous and contingent expenses of the current year, a sum not exceeding five hundred dollars,	500 00
24	For a reserve fund, a sum not exceeding three hundred fifty dollars,	350 00
And the county commissioners of the county of Dukes County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of sixteen thousand four hundred sixty-five dollars and seventy-three cents, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes,		16,465 73

Essex County.

		County tax, Essex.
1	For interest on county debt, a sum not exceeding eighty-three thousand dollars,	\$83,000 00
2	For reduction of county debt, a sum not exceeding one hundred fifty-nine thousand dollars,	159,000 00
3	For salaries of county officers and assistants, fixed by law, a sum not exceeding fifty thousand dollars,	50,000 00
4	For clerical assistance in county offices, a sum not exceeding seventy-two thousand dollars,	72,000 00
5	For salaries and expenses of district courts, a sum not exceeding one hundred thirty thousand dollars,	130,000 00

County tax, Essex.	Item		
	6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding fifty-three thousand dollars, . . .	\$53,000 00
	7	For criminal costs in the superior court, a sum not exceeding fifty thousand dollars, . . .	50,000 00
	8	For civil expenses in the supreme judicial and superior courts, a sum not exceeding seventy thousand dollars, . . .	70,000 00
	9	For trial justices, a sum not exceeding six thousand dollars, . . .	6,000 00
	10	For transportation expenses of county and associate commissioners, a sum not exceeding one thousand dollars, . . .	1,000 00
	11	For medical examiners, inquests, and commitments of the insane, a sum not exceeding twelve thousand dollars, . . .	12,000 00
	12	For auditors, masters and referees, a sum not exceeding nine thousand dollars, . . .	9,000 00
	14	For repairing, furnishing and improving county buildings, a sum not exceeding thirty-seven thousand dollars, . . .	37,000 00
	15	For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding sixty thousand dollars, . . .	60,000 00
	16	For highways, including state highways, bridges and land damages, a sum not exceeding three hundred eight thousand dollars, . . .	308,000 00
	17	For law libraries, a sum not exceeding five thousand dollars, . . .	5,000 00
	18	For training school, a sum not exceeding fifty-five thousand dollars, . . .	55,000 00
	19	For the maintenance of the independent agricultural school, a sum not exceeding ninety-five thousand seven hundred dollars, . . .	95,700 00
	19a	For the equipment of the independent agricultural school, a sum not exceeding three thousand five hundred dollars, . . .	3,500 00
	22	For pensions, a sum not exceeding five thousand dollars, . . .	5,000 00
	23	For miscellaneous and contingent expenses of the current year, a sum not exceeding three thousand seven hundred seventy-two dollars and seventy-four cents, . . .	3,772 74
	24	For a reserve fund, a sum not exceeding ten thousand dollars, . . .	10,000 00
		And the county commissioners of Essex county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of one million one hundred five thousand dollars, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes, . . .	1,105,000 00

Franklin County.

Item		County tax, Franklin.
1	For interest on county debt, a sum not exceeding three thousand dollars,	\$3,000 00
3	For salaries of county officers and assistants, fixed by law, a sum not exceeding thirteen thousand one hundred dollars,	13,100 00
4	For clerical assistance in county offices, a sum not exceeding four thousand fifty-six dollars,	4,056 00
5	For salaries and expenses of district courts, a sum not exceeding twelve thousand dollars,	12,000 00
6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding seventeen thousand dollars,	17,000 00
7	For criminal costs in the superior court, a sum not exceeding two thousand five hundred dollars,	2,500 00
8	For civil expenses in the supreme judicial and superior courts, a sum not exceeding eight thousand dollars,	8,000 00
10	For transportation expenses of county and associate commissioners, a sum not exceeding two hundred and fifty dollars,	250 00
11	For medical examiners, inquests, and commitments of the insane, a sum not exceeding one thousand five hundred dollars,	1,500 00
12	For auditors, masters and referees, a sum not exceeding seven hundred dollars,	700 00
14	For repairing, furnishing and improving county buildings, a sum not exceeding one thousand five hundred dollars,	1,500 00
15	For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding seven thousand dollars,	7,000 00
16	For highways, including state highways, bridges and land damages, a sum not exceeding sixty-four thousand seven hundred dollars,	64,700 00
17	For law libraries, a sum not exceeding two hundred dollars,	200 00
19	For county aid to agriculture, a sum not exceeding six thousand eight hundred fifty dollars,	6,850 00
20	For sanatorium (Hampshire county), a sum not exceeding five thousand twenty-three dollars and thirty-eight cents,	5,023 38
21	For Mount Sugar Loaf state reservation, a sum not exceeding one thousand three hundred dollars,	1,300 00
22	For pensions, a sum not exceeding four hundred eighty dollars,	480 00
23	For miscellaneous and contingent expenses of the current year, a sum not exceeding four hundred forty-six dollars and seventy cents,	446 70

County tax, Franklin.	Item		
	24	For a reserve fund, a sum not exceeding one thousand dollars,	\$1,000 00
		And the county commissioners of Franklin county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of one hundred twenty thousand two hundred seventy-nine dollars and thirty-eight cents, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes,	120,279 38
<i>Hampden County.</i>			
County tax, Hampden.	1	For interest on county debt, a sum not exceeding twenty thousand dollars,	\$20,000 00
	2	For reduction of county debt, a sum not exceeding seventeen thousand dollars,	17,000 00
	3	For salaries of county officers and assistants, fixed by law, a sum not exceeding thirty-five thousand dollars,	35,000 00
	4	For clerical assistance in county offices, a sum not exceeding thirty-two thousand dollars,	32,000 00
	5	For salaries and expenses of district courts, a sum not exceeding sixty-three thousand dollars,	63,000 00
	6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding fifty-three thousand dollars,	53,000 00
	7	For criminal costs in the superior court, a sum not exceeding thirty thousand dollars,	30,000 00
	8	For civil expenses in the supreme judicial and superior courts, a sum not exceeding thirty-eight thousand dollars,	38,000 00
	9	For trial justices, a sum not exceeding eight hundred dollars,	800 00
	10	For transportation expenses of county and associate commissioners, a sum not exceeding one thousand dollars,	1,000 00
	11	For medical examiners, inquests, and commitments of the insane, a sum not exceeding ten thousand dollars,	10,000 00
	12	For auditors, masters and referees, a sum not exceeding thirteen thousand dollars,	13,000 00
	14	For repairing, furnishing and improving county buildings, a sum not exceeding ten thousand dollars,	10,000 00
	15	For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding forty thousand dollars,	40,000 00
	16	For highways, including state highways, bridges and land damages, a sum not exceeding ninety thousand dollars,	90,000 00

Item			
17	For law libraries, a sum not exceeding five thousand dollars,	\$5,000 00	County tax, Hampden.
18	For training school, a sum not exceeding twenty-five thousand dollars,	25,000 00	
19	For county aid to agriculture, a sum not exceeding twenty-six thousand dollars,	26,000 00	
21	For Mount Tom state reservation, a sum not exceeding four thousand five hundred dollars,	4,500 00	
22	For pensions, a sum not exceeding three thousand five hundred dollars,	3,500 00	
23	For miscellaneous and contingent expenses of the current year, a sum not exceeding thirteen thousand three hundred twenty-seven dollars and twenty-six cents,	13,327 26	
And the county commissioners of Hampden county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of three hundred ninety thousand dollars, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes,			
		390,000 00	

Hampshire County.

1	For interest on county debt, a sum not exceeding two thousand dollars,	\$2,000 00	County tax, Hampshire.
2	For reduction of county debt, a sum not exceeding eleven thousand dollars,	11,000 00	
3	For salaries of county officers and assistants, fixed by law, a sum not exceeding seventeen thousand five hundred dollars,	17,500 00	
4	For clerical assistance in county offices, a sum not exceeding six thousand five hundred dollars,	6,500 00	
5	For salaries and expenses of district courts, a sum not exceeding nineteen thousand dollars,	19,000 00	
6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding fifteen thousand dollars,	15,000 00	
7	For criminal costs in the superior court, a sum not exceeding eight thousand dollars,	8,000 00	
8	For civil expenses in the supreme judicial and superior courts, a sum not exceeding six thousand five hundred dollars,	6,500 00	
10	For transportation expenses of county and associate commissioners, a sum not exceeding six hundred dollars,	600 00	
11	For medical examiners, inquests, and commitments of the insane, a sum not exceeding three thousand dollars,	3,000 00	
12	For auditors, masters and referees, a sum not exceeding one thousand five hundred dollars,	1,500 00	

County tax, Hampshire.	Item		
	14	For repairing, furnishing and improving county buildings, a sum not exceeding three thousand dollars,	\$3,000 00
	15	For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding twelve thousand dollars,	12,000 00
	16	For highways, including state highways, bridges and land damages, a sum not exceeding seventy-five thousand dollars,	75,000 00
	17	For law libraries, a sum not exceeding one thousand two hundred dollars,	1,200 00
	19	For county aid to agriculture, a sum not exceeding six thousand dollars,	6,000 00
	20	For sanatorium, a sum not exceeding five thousand dollars,	5,000 00
	21	For Mount Tom state reservation, a sum not exceeding eight hundred dollars,	800 00
	22	For pensions, a sum not exceeding eight hundred dollars,	800 00
	23	For miscellaneous and contingent expenses of the current year, a sum not exceeding one thousand dollars,	1,000 00
	24	For a reserve fund, a sum not exceeding four thousand dollars,	4,000 00
	And the county commissioners of Hampshire county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of one hundred thirty-six thousand three hundred thirty-seven dollars and seventy-eight cents, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes,		136,337 78

Middlesex County.

County tax, Middlesex.			
	1	For interest on county debt, a sum not exceeding forty thousand dollars,	\$40,000 00
	2	For reduction of county debt, a sum not exceeding twenty-eight thousand dollars,	28,000 00
	3	For salaries of county officers and assistants, fixed by law, a sum not exceeding sixty-five thousand dollars,	65,000 00
	4	For clerical assistance in county offices, a sum not exceeding one hundred fifty-four thousand dollars,	154,000 00
	5	For salaries and expenses of district courts, a sum not exceeding one hundred seventy thousand dollars,	170,000 00
	6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding one hundred thirty-five thousand dollars,	135,000 00

Item			County tax, Middlesex.
7	For criminal costs in the superior court, a sum not exceeding one hundred thousand dollars,	\$100,000 00	
8	For civil expenses in the supreme judicial and superior courts, a sum not exceeding one hundred fifteen thousand dollars,	115,000 00	
9	For trial justices, a sum not exceeding one thousand five hundred dollars,	1,500 00	
10	For transportation expenses of county and associate commissioners, a sum not exceeding one thousand five hundred dollars,	1,500 00	
11	For medical examiners, inquests, and commitments of the insane, a sum not exceeding twenty-three thousand dollars,	23,000 00	
12	For auditors, masters and referees, a sum not exceeding eighteen thousand dollars,	18,000 00	
14	For repairing, furnishing and improving county buildings, a sum not exceeding eighty-eight thousand dollars,	88,000 00	
15	For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding one hundred fifteen thousand dollars,	115,000 00	
16	For highways, including state highways, bridges and land damages, a sum not exceeding two hundred fifty thousand dollars,	250,000 00	
17	For law libraries, a sum not exceeding seven thousand dollars,	7,000 00	
18	For training school, a sum not exceeding fifty-four thousand dollars,	54,000 00	
19	For county aid to agriculture, a sum not exceeding thirty-five thousand dollars,	35,000 00	
22	For pensions, a sum not exceeding fifteen thousand dollars,	15,000 00	
23	For miscellaneous and contingent expenses of the current year, a sum not exceeding five thousand dollars,	5,000 00	
24	For a reserve fund, a sum not exceeding ten thousand dollars,	10,000 00	
And the county commissioners of Middlesex county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of one million two hundred seventy thousand nine hundred four dollars and sixty-eight cents, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes,		1,270,904 68	

Norfolk County.

County tax, Norfolk.	Item		
	1	For interest on county debt, a sum not exceeding fifteen thousand dollars,	\$15,000 00
	2	For reduction of county debt, a sum not exceeding thirty-two thousand one hundred eighty-two dollars and ninety-eight cents,	32,182 98
	3	For salaries of county officers and assistants, fixed by law, a sum not exceeding thirty thousand dollars,	30,000 00
	4	For clerical assistance in county offices, a sum not exceeding forty-five thousand dollars,	45,000 00
	5	For salaries and expenses of district courts, a sum not exceeding sixty-five thousand dollars,	65,000 00
	6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding thirty-six thousand dollars,	36,000 00
	7	For criminal costs in the superior court, a sum not exceeding forty thousand dollars,	40,000 00
	8	For civil expenses in the supreme judicial and superior courts, a sum not exceeding thirty thousand dollars,	30,000 00
	10	For transportation expenses of county and associate commissioners, a sum not exceeding two thousand dollars,	2,000 00
	11	For medical examiners, inquests, and commitments of the insane, a sum not exceeding eight thousand dollars,	8,000 00
	12	For auditors, masters and referees, a sum not exceeding five thousand dollars,	5,000 00
	14	For repairing, furnishing and improving county buildings, a sum not exceeding ten thousand dollars,	10,000 00
	15	For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding forty-five thousand dollars,	45,000 00
	16	For highways, including state highways, bridges and land damages, a sum not exceeding one hundred forty thousand dollars,	140,000 00
	18	For training school, a sum not exceeding eight thousand dollars,	8,000 00
	19	For agricultural school, a sum not exceeding fifty-four thousand five hundred twenty-seven dollars and eleven cents,	54,527 11
	19a	For bills of previous year of agricultural school, a sum not exceeding thirty thousand four hundred seventy-two dollars and eighty-nine cents,	30,472 89
	22	For pensions, a sum not exceeding one thousand five hundred dollars,	1,500 00

Item		
23	For miscellaneous and contingent expenses of the current year, a sum not exceeding five thousand seventy-five dollars and fifty-six cents, . . .	County tax, Norfolk. \$5,075 56
24	For a reserve fund, a sum not exceeding three thousand dollars, . . .	3,000 00
	And the county commissioners of Norfolk county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of five hundred twenty-nine thousand eight hundred thirteen dollars and thirty-eight cents, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes,	529,813 38

Plymouth County.

		County tax, Plymouth.
1	For interest on county debt, a sum not exceeding fourteen thousand three hundred ninety dollars,	\$14,390 00
2	For reduction of county debt, a sum not exceeding thirty-five thousand dollars,	35,000 00
3	For salaries of county officers and assistants, fixed by law, a sum not exceeding twenty thousand dollars,	20,000 00
4	For clerical assistance in county offices, a sum not exceeding nineteen thousand two hundred sixty dollars,	19,260 00
5	For salaries and expenses of district courts, a sum not exceeding thirty-eight thousand dollars,	38,000 00
6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding fifty-nine thousand dollars,	59,000 00
7	For criminal costs in the superior court, a sum not exceeding thirty thousand dollars,	30,000 00
8	For civil expenses in the supreme judicial and superior courts, a sum not exceeding nineteen thousand dollars,	19,000 00
10	For transportation expenses of county and associate commissioners, a sum not exceeding one thousand dollars,	1,000 00
11	For medical examiners, inquests, and commitments of the insane, a sum not exceeding five thousand dollars,	5,000 00
12	For auditors, masters and referees, a sum not exceeding three thousand dollars,	3,000 00
13	For building county buildings, a sum not exceeding one thousand two hundred dollars,	1,200 00
14	For repairing, furnishing and improving county buildings, a sum not exceeding three thousand five hundred dollars,	3,500 00

County tax, Plymouth.	Item		
	15 For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding eleven thousand eight hundred dollars,		\$11,800 00
	16 For highways, including state highways, bridges and land damages, a sum not exceeding ninety-eight thousand dollars,		98,000 00
	17 For law libraries, a sum not exceeding five hundred fifty dollars,		550 00
	18 For training school, a sum not exceeding five thousand five hundred dollars,		5,500 00
	19 For county aid to agriculture, a sum not exceeding four thousand five hundred dollars,		4,500 00
	22 For pensions, a sum not exceeding two hundred forty dollars,		240 00
	23 For miscellaneous and contingent expenses of the current year, a sum not exceeding five thousand four hundred sixty dollars and eighty-nine cents,		5,460 89
	And the county commissioners of Plymouth county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of three hundred nineteen thousand five hundred dollars, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes,		319,500 00

Worcester County.

County tax, Worcester.			
	1 For interest on county debt, a sum not exceeding twelve thousand dollars,		\$12,000 00
	3 For salaries of county officers and assistants, fixed by law, a sum not exceeding fifty thousand dollars,		50,000 00
	4 For clerical assistance in county offices, a sum not exceeding sixty thousand dollars,		60,000 00
	5 For salaries and expenses of district courts, a sum not exceeding one hundred ten thousand dollars,		110,000 00
	6 For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding eighty thousand dollars,		80,000 00
	7 For criminal costs in the superior court, a sum not exceeding forty-five thousand dollars,		45,000 00
	8 For civil expenses in the supreme judicial and superior courts, a sum not exceeding forty-five thousand dollars,		45,000 00
	9 For trial justices, a sum not exceeding one thousand dollars,		1,000 00
	10 For transportation expenses of county and associate commissioners, a sum not exceeding two thousand dollars,		2,000 00

Item		County tax, Worcester.
11	For medical examiners, inquests, and commitments of the insane, a sum not exceeding fifteen thousand dollars,	\$15,000 00
12	For auditors, masters and referees, a sum not exceeding twelve thousand dollars,	12,000 00
14	For repairing, furnishing and improving county buildings, a sum not exceeding twelve thousand dollars,	12,000 00
15	For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding forty-five thousand dollars,	45,000 00
16	For highways, including state highways, bridges and land damages, a sum not exceeding two hundred fifty thousand dollars,	250,000 00
17	For law libraries, a sum not exceeding six thousand dollars,	6,000 00
18	For training school, a sum not exceeding twenty-three thousand dollars,	23,000 00
19	For county aid to agriculture, a sum not exceeding twenty-five thousand dollars,	25,000 00
21	For Wachusett Mountain state reservation, a sum not exceeding ten thousand dollars,	10,000 00
22	For pensions, a sum not exceeding nine thousand dollars,	9,000 00
23	For miscellaneous and contingent expenses of the current year, a sum not exceeding one thousand five hundred dollars,	1,500 00
24	For a reserve fund, a sum not exceeding ten thousand dollars,	10,000 00
	And the county commissioners of Worcester county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of six hundred sixty thousand dollars, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes,	660,000 00

Approved May 11, 1921.

AN ACT AUTHORIZING THE CITY OF HOLYOKE TO PAY A CERTAIN SUM OF MONEY TO THE WIDOW OF OSCAR C. FERRY. Chap. 382

Be it enacted, etc., as follows:

SECTION 1. The city of Holyoke may pay to the widow of Oscar C. Ferry, late assistant clerk of the board of public works of said city, the sum of one thousand eight hundred and one dollars and forty-four cents, the same being the bal- Holyoke may pay certain sum to widow of Oscar C. Ferry.

ance of the salary which he would have received had he lived and continued to hold such position until the end of the current year.

To be submitted to city council, etc.

Proviso.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided that such acceptance occurs prior to December thirty-first in the current year.

Approved May 11, 1921.

Chap. 383 AN ACT TO AMEND THE CHARTER OF THE CITY OF LOWELL.

Be it enacted, etc., as follows:

Charter of city of Lowell amended.

SECTION 1. The inhabitants of the city of Lowell shall continue to be a body corporate and politic, under the name of the City of Lowell, and as such shall have, exercise and enjoy all the rights, powers, privileges and immunities, and shall be subject to all the duties and obligations provided for herein or by statute or otherwise pertaining to cities as municipal corporations.

Division into wards.

SECTION 2. The territory of the city shall continue to be divided into nine wards, which shall retain their present boundaries until the same shall be changed in accordance with general law, but the number of wards shall never be less than nine.

Mayor, election, term, etc.

SECTION 3. The chief executive officer of the city shall be a mayor, elected by and from the qualified voters of the city, for the term of two years from the first Monday of January following his election and until his successor is elected and qualified, except as provided in section forty-three. The mayor shall receive in full compensation for all services to the city a salary of five thousand dollars a year.

City council, election, term, etc.

SECTION 4. The legislative powers of the city shall be vested in a city council, composed of fifteen members, of whom one shall be elected from each ward by and from the qualified voters of that ward, and the remaining members shall be elected at large by and from the qualified voters of the whole city, for the term of two years from the first Monday of January following their election and until their successors are elected and qualified. The members of the city council shall each receive in full compensation for all services to the city a salary of three hundred dollars a year. The city council shall annually from its membership elect a president. The city clerk shall act as clerk of the council.

SECTION 5. The municipal year shall begin at ten o'clock in the forenoon on the first Monday of January, and shall continue until ten o'clock in the forenoon of the first Monday of the January next following.

Municipal year.

SECTION 6. The mayor and city council shall, except as otherwise provided herein, have and exercise such powers and authority as are vested in mayors and city councils by the general laws of the commonwealth.

Powers and authority of mayor and city council.

SECTION 7. The first city election under this act shall be held on the second Tuesday of December in the year nineteen hundred and twenty-one, and thereafter city elections shall be held biennially in every odd numbered year. On the third Tuesday preceding every election at which any office mentioned in this act is to be filled, except as otherwise provided herein, there shall be held a preliminary election for the purpose of nominating candidates therefor. No special election for mayor or any other officer shall be held until after the expiration of forty days from the calling of a preliminary election therefor, except as otherwise provided herein. At every biennial and special election the polls shall be opened at six o'clock in the forenoon, and shall close not earlier than four o'clock, in the afternoon, and the laws of the commonwealth relative to city elections shall apply thereto, except as is otherwise specifically provided herein. At every preliminary election the polls shall open at twelve o'clock noon, and close not earlier than eight P.M.

City elections, preliminary elections, etc., time of holding, etc.

Polling hours.

SECTION 8. Except as otherwise provided herein, there shall not be printed on the official ballot to be used at any biennial or special election the name of any person as a candidate for any office unless such person has been nominated as such at a preliminary election for nominations, held as provided herein. There shall not be printed on the official ballot for use at such preliminary election the name of any candidate for nomination at such preliminary election, unless he shall have filed, within the time limited by section nine, the statement therein described.

What names to be printed on official ballots, etc.

SECTION 9. Any person who is qualified to vote for a candidate for any elective municipal office, and who is a candidate for nomination therefor, shall be entitled to have his or her name as such candidate printed on the official ballot to be used at a preliminary election; provided that at least ten days prior to such preliminary election he or she shall file with the election commission a statement in writing of his or her candidacy, and with it the petition of at

Who may be candidates.

Proviso.

least fifty voters qualified to vote for a candidate for the said office. Said statement and petition shall be in substantially the following form: —

STATEMENT OF CANDIDATE.

Form of statement of candidate.

I (), on oath declare that I reside at (number if any) on (name of street) in the city of Lowell; that I am a voter therein, qualified to vote for a candidate for the hereinafter mentioned office; that I am a candidate for the office of (name of office) for (state the term) to be voted for at the preliminary election to be held on Tuesday, the day of , nineteen hundred and , and I request that my name be printed as such candidate on the official ballot for use at said preliminary election.

(Signed)

COMMONWEALTH OF MASSACHUSETTS.

Middlesex, ss.

Subscribed and sworn to on this day of , nineteen hundred and before me.

(Signed)

Justice of the Peace
(or Notary Public)

My commission expires

PETITION ACCOMPANYING STATEMENT OF CANDIDATE.

Form of petition accompanying statement of candidate.

Whereas (name of candidate) is a candidate for nomination for the office of (state the office) for (state the term), we, the undersigned voters of the city of Lowell, duly qualified to vote for a candidate for said office, do hereby request that the name of said (name of candidate) as a candidate for nomination for said office be printed on the official ballot to be used at the preliminary election to be held on the

Tuesday of , nineteen hundred and . We further state that we believe him to be of good moral character and qualified to perform the duties of the office.

Number of petitions which voters may sign.
Acceptance and oath not necessary.

Every voter qualified as aforesaid may sign as many petitions for nomination for each office as there are persons to be elected thereto, and no more. No acceptance by a candidate for nomination named in the said petition shall be necessary

to its validity or its filing, and the petition, which may be on one or more papers, need not be sworn to.

SECTION 10. On the first day, other than Sunday or a legal holiday, following the expiration of the time for filing the above described statement and petition, the election commission shall post in a conspicuous place in the city hall the names and residences of the candidates for nomination who have duly qualified as candidates for nomination, as they are to appear on the official ballots to be used at the preliminary election, except as to the order of the names, and shall cause the ballots which shall contain said names, in their order as drawn by the election commission, and no others, with a designation of residence, and of the office and term of service, to be printed, and the ballots so printed shall be official and no others shall be used at the preliminary election. In drawings for position on the ballot the candidates shall have an opportunity to be present in person or by one representative each. Blank spaces shall be left at the end of each list of candidates for nomination for the different offices equal to the number to be nominated therefor, in which the voter may insert the name of any person not printed on the ballot for whom he desires to vote for nomination for such office. There shall be printed on such ballots such directions as will aid the voters, as, for example, "vote for one", "vote for two", and the like, and the ballots shall be headed as follows: —

Names of candidates, when to be posted.

Drawings for position on ballot.

Blank spaces to be left on ballot, etc.

OFFICIAL PRELIMINARY BALLOT.

Candidates for nomination for the offices of ()
in the city of Lowell, at a preliminary election to be held on
the day of in the
year nineteen hundred and .

Official preliminary ballot, heading.

(The heading shall be varied in accordance with the offices for which nominations are to be made.)

PARTY DESIGNATION ABOLISHED.

SECTION 11. No ballot used at any preliminary, special or biennial election shall have printed thereon, or appended to the name of any candidate, any party or other political designation or mark, or anything showing how any candidate was nominated, or indicating his views or opinions.

Party or political designations, etc., prohibited.

SECTION 12. The election officers shall, immediately upon the closing of the polls at a preliminary election, count the ballots and ascertain the number of votes cast in the several

Counting of ballots and return of votes.

voting places for each candidate, and forthwith make return thereof upon blanks to be furnished, as in biennial elections, to the election commission, who shall canvass said returns and shall forthwith determine the result thereof, publish the same in one or more newspapers published in the city, and post the same in a conspicuous place in the city hall.

Nominations,
how deter-
mined.

SECTION 13. Part 1. The two persons receiving at a preliminary election the highest number of votes for nomination for an office shall be the sole candidates for that office whose names may be printed on the official ballot to be used at the biennial or special election at which such office is to be filled, and no acceptance of a nomination at a preliminary election shall be necessary to its validity.

Candidates'
names to be
printed on
official ballot.

Part 2. If two or more persons are to be elected to the same office at such biennial or special election, the several persons in number equal to twice the number to be so elected receiving at such preliminary election the highest number of votes for nomination for that office, or all such persons, if less than twice the number of those so to be elected, shall be the sole candidates for that office whose names may be printed on the official ballot.

Effect of tie
vote.

Part 3. If the preliminary election results in a tie vote among candidates for nomination receiving the lowest number of votes which, but for said tie vote, would entitle a person receiving the same to have his name printed on the official ballot for the election, all candidates participating in said tie votes shall have their names printed upon the official ballot, although in consequence there be printed thereon candidates to a number exceeding twice the number to be elected.

When insuffi-
cient number
of statements
have been filed,
candidates
filing state-
ments to be
deemed to have
been nomi-
nated, etc.

SECTION 14. If at the expiration of the time for filing statements of candidates to be voted for at any preliminary election not more than twice as many such statements have been filed with the election commission for the office of mayor, councillor or school committee as are to be elected to said offices, respectively, the candidates whose statements have thus been filed shall be deemed to have been nominated to said offices, respectively, and their names shall be used at such biennial or special election, and the election commission shall not print said names upon the ballot to be used at said preliminary election, and no other nomination to said offices shall be made.

ABOLISHMENT OF PRESENT GOVERNMENT.

SECTION 15. At ten o'clock in the forenoon of the first Monday of January, nineteen hundred and twenty-two, the term of office of the present mayor, aldermen and school committee shall terminate. The term of office of the present city auditor, city solicitor, chief of the fire department, superintendent of police, superintendent of streets, superintendent of water works, city physician, city engineer, city clerk, city treasurer and collector of taxes, purchasing agent, city messenger, superintendent of charities, superintendent of wires, superintendent of state aid, inspector of public buildings, city bacteriologist, smoke inspector, fish and game warden, inspector of animals, pound keeper, members of the board of assessors and members of the board of health, shall terminate at ten o'clock in the forenoon of the first Monday in January, nineteen hundred and twenty-two. They shall continue in office, however, until their successors have been appointed, confirmed and qualified. Nothing in this section shall affect the present terms of office of the members of the board of park commissioners, members of the board of sinking fund commissioners, members of the library trustees, members of the board of license commissioners, members of the board of election commissioners, members of the board of cemetery commissioners, the sealer of weights and measures, the moth superintendent or the inspector of milk and vinegar. The sealer of weights and measures, the moth superintendent and the inspector of milk and vinegar shall be subject to the provisions of the civil service laws and regulations, but no examination shall be required of the present incumbents of said offices.

Abolition of present government.

SECTION 16. On the first Monday in January, nineteen hundred and twenty-two, and every second year thereafter, the mayor-elect and the councillors-elect shall meet and be sworn to the faithful discharge of their respective duties. The oath may be administered by the city clerk or by any justice of the peace, and a certificate thereof shall be entered on the journal of the city council. At any subsequent meeting of the council, the oath may be administered to the mayor or to any councillor not in attendance at the initial meeting.

Mayor and council, when to be sworn, etc.

SECTION 17. A majority of the council shall constitute a quorum, and the affirmative vote of a majority of all the

Quorum, etc., of council.

members of the council shall be necessary to adopt any motion, order, resolution or ordinance, except a motion to adjourn, and except as otherwise provided herein.

Special
meetings,
notice, etc.

SECTION 18. Special meetings shall be called in the manner, and held at the time and place, fixed by ordinance. Notice stating the time and place of the meeting and, in substance, the matters then to be considered shall be given each councillor by service in hand, or by leaving the same at his last and usual place of abode not less than six hours before the time fixed therefor.

Mayor and
councillors not
to hold certain
other offices,
etc.

SECTION 19. Neither the mayor nor any member of the city council shall, during the term for which he or she is elected, hold any other office or position the salary or compensation for which is payable from the city treasury; nor shall he or she act as counsel or attorney before the city council or any committee thereof, or before any board or department of the city.

ADMINISTRATIVE OFFICERS.

Administra-
tive officers,
duties, etc.

SECTION 20. There shall be the following administrative officers, who shall perform the duties prescribed by law or by ordinance, and such further duties, not inconsistent with the nature of their respective offices or with the general law, as the city council may prescribe, except as otherwise provided herein: a city auditor, a city solicitor, a chief of the fire department, a superintendent of police, a city clerk, a city treasurer and collector of taxes, a purchasing agent, a city physician, a city messenger, a superintendent of charities, a superintendent of wires, a sealer of weights and measures, a superintendent of state aid, an inspector of public buildings, an inspector of milk and vinegar, a city bacteriologist, a moth superintendent, a smoke inspector, a fish and game warden, an inspector of animals, a pound keeper, a board of public service consisting of three members, a board of assessors consisting of three members, a board of health consisting of three members, a board of park commissioners consisting of five members, a board of sinking fund commissioners consisting of three members, a board of library trustees consisting of five members with the mayor a member ex officio, a board of license commissioners consisting of three members, a board of election commissioners consisting of four members, a board of cemetery commissioners consisting of five members, and a budget and auditing commission consisting of three members.

SECTION 21. The city clerk, city treasurer and collector of taxes and the city auditor shall be elected by a majority vote of all the members of the city council. The city clerk shall be elected for the term of three years and the city treasurer and collector of taxes and the city auditor for terms of two years, the first term to begin at ten o'clock in the forenoon of the first Monday in January, nineteen hundred and twenty-two.

City clerk,
city treasurer
and collector
of taxes and
city auditor,
election,
terms, etc.

SECTION 22. Part 1. The city solicitor shall be appointed by the mayor without confirmation by the city council, for the term of two years, the first term to begin at ten o'clock in the forenoon of the first Monday in January, nineteen hundred and twenty-two. The chief of the fire department and the superintendent of police shall be nominated by the mayor, subject to confirmation by a majority vote of all the members of the city council for terms of three years, the first term to begin at ten o'clock in the forenoon of the first Monday in January, nineteen hundred and twenty-two.

City solicitor,
appointment,
etc.

Chief of fire
department
and superin-
tendent of
police, nomina-
tion, etc.

Part 2. The purchasing agent, the city physician, the superintendent of charities, the city messenger, the superintendent of wires, the superintendent of state aid, the inspector of public buildings, the city bacteriologist, the smoke inspector, the fish and game warden, the inspector of animals and the pound keeper, shall be nominated by the mayor, subject to confirmation by a majority vote of all the members of the city council for the term of two years, the first term to begin at ten o'clock in the forenoon on the first Monday of January, nineteen hundred and twenty-two. When a vacancy occurs in the office of sealer of weights and measures, the moth superintendent or inspector of milk and vinegar, the mayor shall nominate, subject to confirmation by a majority vote of all the members of the city council, a successor in compliance with civil service laws and regulations.

Various
officers, nom-
ination, etc.

Vacancies in
certain offices,
how to be
filled.

BOARD OF HEALTH.

SECTION 23. Part 1. The board of health, consisting of three members, shall be nominated by the mayor and confirmed by a majority vote of all the members of the city council, for terms of one, two and three years, respectively, and thereafter their successors shall be nominated and confirmed for the term of three years. The board of health shall have supervision and control of the city bacteriologist, the inspector of milk and vinegar, the inspector of animals, and all matters pertaining to the general health of the city and

Board of
health, mem-
bership, nom-
ination, powers,
etc.

shall make rules and regulations not inconsistent with the ordinances of the city and the general laws of the commonwealth for the preservation of the public health. It shall appoint an agent and health inspectors under provisions of civil service, and exercise supervision and administrative control of the isolation hospital, including appointments of all administrative officers and employees. It shall have and exercise all the powers and duties conferred or imposed by general laws upon boards of health. The members of the board of health shall select their own chairman.

Certain powers and duties of school committee transferred to board of health.

Part 2. All powers and duties now exercised by the school committee relative to the health and medical inspection and supervision of schools and school children are hereby transferred to the board of health, and said board shall henceforth exercise and perform, in addition to its other duties as a board of health, a thorough health and medical inspection and supervision of all schools and school children of the city, and make and provide rules and regulations for safeguarding the health of the school children.

Department of school hygiene, establishment, etc.

Director of school hygiene, appointment, powers, duties, etc.

Part 3. For the purpose of this section, the board of health shall organize and establish a sub-department to be known as the department of school hygiene. The board shall appoint and may remove for any cause which it may deem sufficient a director of school hygiene, who shall be a physician of reputable standing and possessed of special training and experience in public health service. Said director of school hygiene shall devote his entire time to the service of the city. He shall exercise, under the direction of the board of health, supervision of school nurses and other physicians that may be appointed for special school work, shall execute and put into effect all instructions issued by the board of health, and recommend from time to time to the board of health regulations which in his opinion will tend to minimize and prevent the spread of communicable diseases among school children of the city.

To keep record of school children affected with communicable diseases, etc.

Part 4. It shall be the duty of the director of school hygiene to keep a record of the names of all school children affected with communicable diseases as the same are reported to the board of health, and to issue after an examination a certificate of health certifying that said child is free from communicable disease before he or she shall be eligible to return to school.

Superintendent of schools to furnish report of children absent from

Part 5. For the purpose of preventing the spread of communicable diseases among school children of the city, the board of health shall require the superintendent of schools to

furnish to the department of school hygiene a report of all school children who may absent themselves from school for a period of three days, by reason of sickness or for causes unknown to the principal of the school where they attend. The board of health shall also adopt other safe and reasonable measures which in its opinion will be helpful in preventing the spread of communicable diseases among school children.

school by reason of sickness, etc.

Part 6. The board of health shall establish the salary of the director of school hygiene, subject to the approval of the mayor, and the compensation of all others employed in the department of school hygiene. The board of health shall also appoint and may remove from office, subject to civil service laws and rules, all nurses of the department. It may also appoint and remove from office for any cause which it may deem sufficient one or more temporary or permanent physicians to assist the director of school hygiene in special work in the conduct of the department.

Salaries in department of school hygiene.

Appointment, etc., of nurses and physicians.

BOARD OF ASSESSORS.

SECTION 24. A board of assessors consisting of three members shall be nominated by the mayor and confirmed by a majority vote of all the members of the city council for terms of one, two and three years, respectively, and thereafter their successors shall be nominated and confirmed for the term of three years. They shall have the power to appoint such assistant assessors, temporary assistant assessors and permanent and temporary clerks as are now authorized or may hereafter from time to time be authorized by the mayor. They shall perform all the duties prescribed by the general laws of the commonwealth for boards of assessors, shall keep records of all assessments and abatements, and submit annually to the city council a report of the conduct of their department.

Board of assessors, nomination, terms, powers, duties, etc.

BOARD OF PARK COMMISSIONERS.

SECTION 25. The present board of park commissioners is hereby continued, and as the terms of the present members expire, the mayor shall nominate their successors, subject to confirmation by a majority vote of all the members of the city council, for terms of five years. They shall have full charge, supervision and control of all public parks, commons, playgrounds, public recreation centers, and all buildings now

Board of park commissioners, nomination, terms, powers, duties, etc.

or hereafter erected thereon. They shall have charge of the removal of trees within the city limits and shall appoint and have charge of all officers and employees of the department.

BOARD OF LICENSE COMMISSIONERS.

Board of license commissioners, nomination, terms, powers, duties, etc.

SECTION 26. The present board of license commissioners is hereby continued, and as the terms of the present members expire, the mayor shall nominate their successors, subject to confirmation by a majority vote of all the members of the city council, for terms of six years. They shall continue to exercise all powers and duties now conferred upon them by statute.

BOARD OF ELECTION COMMISSIONERS.

Board of election commissioners, membership, powers, duties, etc.

SECTION 27. The present election commission is hereby continued, and it shall continue to exercise the powers and duties conferred upon it by chapter one hundred and fifty-four of the acts of nineteen hundred and twenty, as amended by chapter one hundred and fifteen of the acts of the current year.

BOARD OF LIBRARY TRUSTEES.

Board of library trustees, nomination, terms, powers, duties, etc.

SECTION 28. The present board of library trustees is hereby continued, and as the terms of the present members expire, the mayor shall nominate their successors, subject to confirmation by a majority vote of all the members of the city council, for terms of five years. The mayor shall be a member ex officio and chairman of said board. It shall have and exercise all supervision, control and management of all public libraries of the city and select and have charge of all its officers and employees.

BUDGET AND AUDITING COMMISSION.

Budget and auditing commission, nomination, terms, etc.

SECTION 29. Part 1. There shall be a budget and auditing commission of three citizens, not members of the city council or employees of the city, nominated by the mayor and confirmed by a majority vote of all of the members of the city council, who shall hold office for terms of one, two and three years, respectively, beginning on the first Monday of January in the year nineteen hundred and twenty-two, and thereafter their successors shall be nominated and confirmed for the term of three years.

Part 2. The members of said budget and auditing commission shall assist the mayor in making up the budget for each year, and in the performance of their duties may examine all books and expenses of the different departments and submit to the mayor in writing their recommendations as to the respective amounts for each department which make up the budget, before the same is submitted for approval to the city council by the mayor. They shall also assist the mayor in the scrutiny and certification of all invoices, bills and payments due or presented for payment by the several departments. If in the opinion of a majority of said commission any bill or invoice under any contract presented for payment appears irregular or improper, said commission shall recommend in writing to the mayor that payment of the same be withheld pending investigation.

Powers, duties, etc.

Part 3. If payment of any bill or invoice under contract be withheld, the mayor shall immediately notify the city auditor, who shall not approve such bill or invoice without the approval of a majority of said budget and auditing commission.

Notice to city auditor when payment of bills, etc., is withheld.

Part 4. The members of the budget and auditing commission shall each be paid a salary not exceeding five hundred dollars annually. Its members shall elect their own chairman.

Salary, etc.

BOARD OF PUBLIC SERVICE.

SECTION 30. Part 1. A board of public service consisting of three members, one of whom shall be a civil engineer of at least five years' practice, shall be nominated by the mayor and confirmed by a majority vote of all the members of the city council for terms of one, two and three years, respectively, and thereafter their successors shall be nominated and confirmed for the term of three years. Their compensation shall be fixed by the city council and shall not exceed one thousand dollars each per annum.

Board of public service, nomination, terms, compensation, etc.

Part 2. They shall organize by the choice of a chairman from their own members, and shall appoint a city engineer whom they may remove for cause deemed by them sufficient. The city engineer shall be a subordinate officer of the board of public service, and shall be subject to the orders and directions of the board. He shall act as engineer and construction inspector to all the city departments requiring said service, except in such special cases in which the board may authorize him to secure the advice or counsel of one or more

To choose chairman and appoint city engineer.

engineers having an established reputation in the particular problems in question.

To appoint
superintendent
of street and
sewer work.

Part 3. The board shall also appoint and remove for cause which it may deem sufficient a superintendent of street and sewer work, who shall have charge, under the direction of the board of public service and the city engineer, of the construction and repairs of streets, sewers, drains and sidewalks. They shall also appoint and remove for cause which they may deem sufficient a superintendent of water works, who shall have charge, under the direction of the board of public service and city engineer, of the water works of the city.

To appoint
superintendent
of water works.

To have
general
direction of
all assistants,
clerks, etc.,
through execu-
tive officers.

Part 4. The board of public service shall have the general direction through their executive officers of all assistants, clerks and laborers who shall be employed in one or more departments at the pleasure of the board, so as to form one or more city labor units which may be available for any city work which may become necessary in the departments under control of said board.

Terms and
qualifications
of said execu-
tive officers.

Part 5. The aforesaid executive officers shall be appointed for unlimited terms, but may be removed by a majority vote of the board for cause which it may deem sufficient. They shall be recognized experts in such work as may devolve upon the incumbents of such offices or be persons specially fitted by education, training or experience to perform the same.

To have
general
direction of
various public
works.

Part 6. Said board shall have cognizance and general direction of the construction, repair and care of streets, ways and sidewalks, and of all poles, conduits and wires in or over the same; of the construction, alteration, repair and care of main drains, common sewers and catch-basins; of the construction, alteration, repair, care and maintenance of public bridges; and building and maintenance of filters and the laying of water pipes; the collection of ashes and waste, except house offal; the care, superintendence and management of the public grounds, except the commons and public parks and playgrounds, and of such grounds as are appurtenant to buildings in charge of other departments, as is provided elsewhere herein. The said board shall, except as otherwise provided herein, be exclusively vested with the powers and shall be subject to the liabilities and penalties conferred or imposed by law on surveyors of highways. No person, department of the city or corporation, except in case of emergency, shall dig up or open for any purpose any public street or way in said city without first obtaining permission in writing from said board.

To grant
permission for
digging up,
etc., public
streets or
ways.

Part 7. All persons, firms, corporations, departments or others opening a street with the permission of said board shall restore the street to its former condition to the satisfaction of said board, or shall make such restoration at the expense of the delinquent person, firm, corporation, department, or others who made such opening, and said board may require a bond or other security for the performance of any contract relative thereto.

Opened streets to be restored to condition satisfactory to board, etc.

Part 8. The said board shall also annually, on or before the third Tuesday in January, submit to the mayor and city council a budget of all moneys required for the regular operation and maintenance of the three departments of engineering, streets and water works for the current fiscal year.

To submit a budget, etc.

Part 9. The said board shall also annually, not later than the second Monday in March, prepare and furnish the mayor and city council with a complete and detailed report containing its recommendations relative to new highway and sewer improvements in the city for the current fiscal year, which shall also include its recommendation as to the acceptance, laying out and construction of new streets and general sidewalk improvements, and its recommendations as to the location, installation and construction of new sewers during the said fiscal year, all of which shall be accompanied by estimates of costs and outline plans of the proposed work. The recommendations for new sidewalks, street and sewer construction shall be accompanied by specific data as to the material to be used and the method of construction; said report shall include also plans for the installation of new water pipes for mains, other than house connections, in any streets or ways in said city during the said fiscal year, and for that purpose the superintendent of water works shall furnish the said board with the necessary information upon which to base so much of the report as relates to water pipes or mains.

To furnish report containing recommendations as to certain public improvements, etc.

Part 10. All petitions and orders not reported by the said board for the laying out and acceptance of streets, the construction of sidewalks and sewer construction shall in the first instance be referred by the city council to said board, which shall return the same to the city council with its recommendations thereon not later than one month from the time of reference, unless the time is extended by the city council upon the written request of said board stating sufficient cause therefor. If in any such report the board shall recommend new construction work or the taking of land

To return certain petitions, etc., with recommendations to city council, etc.

within the fiscal year in which the report is made, estimates of cost shall be included therein. Before authorizing the direct execution of any new work or improvements detailed plans and estimates thereof shall be submitted to the board by the department which is to execute such work or improvement, and there shall be a separate accounting as to the work or improvement so executed.

Advertising
and awarding
of certain con-
tracts, etc.

Part 11. All contracts for more than five hundred dollars shall be awarded to the lowest responsible bidder, after such public advertisement and competition as may be described by ordinance or by other provisions of this act, but the board shall have power to reject any and all bids and advertise again. All advertisements as to contracts shall contain a reservation of the foregoing rights. Contracts for public work shall be signed by the board and the mayor.

City engineer
to be clerk of
board, etc.

Part 12. The city engineer shall be clerk of said board and serve without extra compensation. The city engineer shall perform the usual duties in relation to laying out, locating, altering or discontinuing streets, or altering or establishing the grade thereof, or laying out or altering main drains, common sewers and sidewalks, laying out or altering water pipes, or laying out, changing or enlarging filters or other purification work.

Plans, etc., to
be kept in
office of city
engineer.

Part 13. The office of the city engineer shall contain originals or copies of all plans of streets, sidewalks, sewers, drains, catch-basins, poles, conduits, wires, bridges, water pipes, filters and all other structures built or changed by labor or contract, in sufficient detail and so kept that they may be available at any time for the said board, all city departments and the public.

PURCHASING AGENT.

Purchasing
agent, powers,
duties, etc.

SECTION 31. Part 1. The purchasing agent shall purchase and contract for all materials or supplies for all departments of the city, subject to approval by the mayor. He shall make no purchase of material or supplies, except in cases of extreme emergency, exceeding in cost a sum of fifty dollars without first calling for bids thereon by public advertisement, and allowing a period of not less than forty-eight hours to elapse between the time of calling for bids and the closing thereof. The entire unit of quantity specified by requisition shall first be submitted to competitive bids when the purchase price amounts to or exceeds the sum of fifty

dollars. No splitting of a requisition to avoid calling for bids as specified in this section shall be lawful, unless in cases of extreme emergency, or after failure to obtain a competitive bid for the entire unit of quantity called for in the requisition. The mayor shall be the sole authority to determine a case of extreme emergency, under the provisions of this section, and the purchasing agent shall not purchase any material or supplies otherwise than as provided in this section without first obtaining the approval of the mayor in writing. The mayor shall approve all contracts for the purchase of material and supplies, and all purchases of materials or supplies shall be approved by the mayor before the same shall be considered accepted by the city.

Mayor to approve contracts for purchase of supplies, etc.

Part 2. The heads of the several departments of the city for which purchases of material or supplies have been made by the purchasing agent shall not be compelled to accept delivery of said purchases if in the judgment of the head of the department the same are not up to the standard of weight, quantity or quality as specified in the original requisition, or excessive in price. They may appeal to the mayor whose decision as to acceptance or rejection shall be final. No requisition shall specify a particular trade-mark or brand of material or supplies, the effect of which would be to prevent or stifle competitive bidding in accordance with the provisions of this section. All invoices for materials or supplies shall show the date of purchase, date of delivery, the unit of price, the quality and quantity of articles purchased and received, the number and date of the order for purchase, and, if the purchase is under contract, the number and date of the contract, and shall be entered in full in an invoice book which shall always be open to public inspection. The purchasing agent shall sell or dispose of the personal property of the city by public advertisement and competitive bid upon recommendation of the mayor and of the head of the department to which such property belongs, except the products of the Chelmsford Street Hospital, which the superintendent of charities shall have the right to dispose of. Failure to conform strictly to the provisions of this section by the purchasing agent shall be deemed sufficient cause for his removal from office.

Heads of departments may reject supplies, etc., purchased.

Requisitions not to specify particular trade-marks or brands.

Invoices to show date of purchase, etc.

Sale of personal property of city by purchasing agent, etc.

SECTION 32. All heads of departments, members of boards and commissions shall be sworn to the faithful discharge of their respective duties and certificates of their oaths shall be made and kept in the office of the city clerk.

Heads of departments, etc., to be sworn, to keep records, etc.

All heads of departments, boards and commissions shall keep a record of their official transactions, and such records shall be open to public inspection.

Qualifications and appointment of heads of departments, etc.

SECTION 33. All heads of departments and members of boards and commissions shall be recognized experts in such work as may devolve upon the incumbents of said offices, or persons specially fitted by education, training or experience to perform the same, and, except the election commissioners who shall be appointed subject to the provisions of existing laws, shall be appointed without regard to party affiliation. In making such appointments the mayor shall sign a certificate in the following form: —

CERTIFICATE OF APPOINTMENT.

Forms of certificate of appointment.

I appoint (name of appointee) to the position of (name of office), and I certify that in my opinion he is a recognized expert in the work which will devolve upon him, and that I make the appointment solely in the interest of the city.

Mayor.

Or, in the following form, as the case may be: —

CERTIFICATE OF APPOINTMENT.

I appoint (name of appointee) to the position of (name of office), and I certify that in my opinion he is a person specially fitted by education, training or experience to perform the duties of said office, and that I make the appointment solely in the interest of the city.

Mayor.

The certificate shall be filed with the city clerk.

Heads of departments, etc., to give information to city council.

SECTION 34. Every head of a department and all members of boards and commissions may appear before the city council, and at the request of the city council shall appear before it, and give information in relation to anything connected with the duties of their respective departments and shall have the right to speak upon all matters under consideration affecting the same.

BONDS.

Certain officials to give bond.

SECTION 35. The mayor shall require the city treasurer and collector of taxes to give bond in the amount of fifty thousand dollars, the city auditor to give bond in the amount of ten thousand dollars and the purchasing agent to give

bond in the amount of five thousand dollars, within fifteen days from the date of their appointment or confirmation, and with such surety or sureties as the mayor shall deem proper conditioned on the faithful discharge of their respective duties, and may require any other municipal officer entrusted with the receipt, care or disbursement of money to give such a bond. The premium on said bonds shall be paid by the city. No city money shall be deposited in any national bank or trust company of which the treasurer of said city is an officer, director or agent, and no part of the sinking fund of said city shall be deposited in any national bank or trust company of which any member of the board of sinking fund commissioners is an officer, director or agent.

City to pay premium on bonds.

Restrictions upon deposit of city money.

REMOVALS.

SECTION 36. Part 1. The mayor shall have the power to suspend or remove from office any administrative head of a department or any member or members of boards or commissions for cause which in his judgment he may deem sufficient, and shall file with the city council, through the city clerk, his reasons therefor. The administrative head of a department or any member or members of boards or commissions suspended or removed by the mayor, may, within forty-eight hours after said notice of suspension or removal has been received, file with the city clerk a demand for a public hearing before the city council, and shall be privileged to be represented by counsel and present witnesses at said hearing.

Mayor may suspend or remove certain officials.

Hearing before city council.

Part 2. If after a hearing the city council shall by a two thirds vote of all its members vote to reinstate the officer so suspended or removed, the order of suspension or removal shall be invalid. The city council may by a two thirds vote of all its members, but only after granting a public hearing, suspend or remove from office, without the consent of the mayor, each and every administrative head of a department, or any member or members of boards or commissions for such cause as the city council voting, by yeas and nays, may in its judgment deem sufficient. Section five of chapter one hundred and thirty-eight of the General Laws, in so far as conflicting with this section, shall not apply to the city of Lowell. This section shall not apply to members of the school committee or its administrative officers. Suspension or removal from office of the sealer of weights and measures, the

Reinstatement by city council.

Suspension or removal by city council.

Certain provision of law not to apply.

Section not to apply to school committee, etc. Civil service laws and rules

to apply to
certain suspen-
sions or
removals.

City council
may request
information
from mayor,
etc.

Appointment,
discharge, etc.,
of subordinate
officers and
employees.

Proviso.

Restrictions
upon activities
of city council.

Expenditures
regulated.

moth superintendent or the inspector of milk and vinegar shall be made in accordance with the civil service laws and rules.

SECTION 37. The city council may at any time request from the mayor specific information on any municipal matter within its jurisdiction, and may request his presence to answer written questions relating thereto at a meeting to be held not earlier than one week from the date of the receipt of said questions, in which case the mayor shall personally, or through the head of a department or a member of a board, attend such meeting and publicly answer all questions. The person so attending shall not be obliged to answer questions relating to any other matter. The mayor at any time may attend and address the city council, in person or through the head of a department or a member of a board, upon such subject as he may desire.

SECTION 38. Administrative heads of departments, boards and commissions shall have the power to appoint and employ and to suspend or discharge all subordinate officers and employees in their respective departments, subject to civil service regulations, and laws relating thereto, and shall cause to be kept in their respective departments a record subject to public inspection of all persons appointed or employed therein, and of all persons suspended or discharged, and in case of suspension or discharge the reason therefor; provided, however, that subordinate officers and employees of the police and fire departments may appeal to the city council for a hearing within forty-eight hours after notice of suspension or removal, and the city council may, after a hearing and by a two thirds vote of all its members, revoke said order of suspension or removal, and reinstate any officer or employee suspended or removed by the administrative head of the police or fire department.

SECTION 39. The city council shall not directly or indirectly take part in the employment of labor, the purchase of material, the construction, alteration or repair of any public works or other property, or in the care, custody or management of the same, or in general in the expenditure of public money, or in the conduct of the executive or administrative business of the city, except as may be necessary for defraying the contingent and incidental expenses of the city council, nor shall it take part in the making of contracts.

SECTION 40. No sum appropriated for a specific purpose shall be expended for any other purpose, and no expenditure

shall be made and no liability shall be incurred by or on behalf of the city until the city council has duly and legally voted an appropriation sufficient to meet such expenditure or liability, together with all prior unpaid liabilities which are payable therefrom, except in cases of extreme emergency involving the health or safety of persons or property, and then only after a two thirds vote of the city council approved by the mayor; and provided, that after the expiration of the financial year and before the making of the regular annual appropriations, liabilities may be incurred during said interval not to exceed in any month the sum expended for similar purposes during any one month of the preceding year. Nothing herein contained shall be construed to restrict or limit the school committee in any expenditure which it is now or may be hereafter legally authorized to make under any general law of the commonwealth, or to restrict or limit payments on account of the permanent or temporary debt, or such as are required by law to be made to the commonwealth.

Proviso.

SECTION 41. All appropriations or loans shall be made in accordance with the provisions of chapter forty-four of the General Laws. The vote of the city council thereon shall be taken by yeas and nays. All meetings of the council shall be public.

Appropriations or loans, how to be made.

Meetings of council to be public.

ORDINANCES — RESOLUTIONS, ETC.

SECTION 42. Part 1. Every proposed ordinance or loan order except emergency measures, as hereinafter defined, shall at least seven days before its final passage be published once in full in at least one newspaper of the city, and in any additional manner that may be provided for by ordinance. If amended it shall be treated as a new resolution and published again as amended.

Proposed ordinances or loan orders to be published, etc.

Part 2. No ordinance, resolution, or loan order shall be considered by the council as an emergency measure unless accompanied by a statement of the emergency from the head of the department, board or commission from which it emanates, and supplemented by a written certification from the mayor, that an emergency involving the health or safety of the people or the financial credit of the city exists.

Emergency measures to be accompanied by statement, etc.

Part 3. No ordinance making a grant, renewal or extension whatever its kind or nature, of any franchise or special privilege shall be passed as an emergency measure; and except as provided in chapter one hundred and sixty-six and

Granting of franchises, etc.

sections seventy and seventy-one of chapter one hundred and sixty-four of the General Laws, no such grant, renewal or extension shall be made otherwise than by ordinance.

Passage of ordinances, etc., at one session, etc., prohibited.

Part 4. No ordinance, order or resolution, except an emergency measure, shall be passed through all its stages of legislation at one session, nor within seven days after it is first presented to the city council.

DUTIES AND POWERS OF MAYOR.

Executive powers of mayor.

SECTION 43. Part 1. All executive powers which are now by law vested in the municipal council of the city of Lowell shall hereafter be vested in and exercised by the mayor of said city except as otherwise provided herein.

Suspensions or removals from office by mayor.

Part 2. The mayor may suspend or remove from office the administrative head of any department, or any member or members of boards or commissions in accordance with section thirty-six of this act, and may make nominations and temporary or permanent appointments as hereinafter provided.

Temporary appointments.

Temporary appointments may be made by the mayor, without confirmation by the city council, to any administrative office, board or commission made vacant by resignation, death, suspension or removal from office either by the mayor or the city council, or by any other cause, of the administrative head of any department or of any member or members of boards or commissions.

Duration of certain temporary appointments.

Part 3. Said temporary appointments, in case of a suspension or removal, shall be in effect only for the period of time allowed for the filing of notice of demand for and during a public hearing before the city council, and pending a decision thereon, or in other cases pending confirmation by the city council of a permanent nomination.

Consideration by city council of nominations made by mayor, etc.

Part 4. All nominations made by the mayor that are subject to confirmation by the city council to fill expired or unexpired terms of office shall be considered by the city council, and confirmation or rejection of said nominations shall be acted upon within a period of thirty days. If no action is taken by the city council within said period, the mayor shall withdraw said nomination, and file another nomination either of the person first nominated, or of a different person; provided, however, that the mayor shall not nominate any person more than twice in the same year for the same office.

Proviso.

Part 5. Every order, ordinance, resolution or vote adopted or passed by the city council relative to the affairs of the city, except the budget submitted by the mayor and votes upon questions of confirmation of nominations made by the mayor or votes directing heads of departments, members of boards or commissions to appear before the city council, shall be presented to the mayor for his approval. If he approves it, he shall sign it; if he disapproves it, he may return it with his objections thereto in writing to the city council, which shall enter his objections at large upon its records, and again consider it; but if he fails to return it to the council with his written objections within ten days after it was presented to him, then it shall be deemed approved and be in force without further action. If the city council notwithstanding the written disapproval by the mayor, shall again pass the order, ordinance, resolution or vote by a two thirds yea and nay vote of its entire membership, it shall then be in force, but the vote thereon shall be taken within thirty days from the date of its return to the city council. Failure to act upon any order, ordinance, resolution or vote returned by the mayor with his objection thereto in writing by the city council within a period of thirty days shall make valid the objection of the mayor, and said order, ordinance, resolution or vote shall not be in force. Filing by the mayor with the clerk of the city council of his objections in writing to any order, ordinance, resolution or vote shall be considered as filing with the city council for the purposes of this section.

Approval of orders, ordinances, votes, etc., by mayor.

Veto.

Part 6. No increase in the salary or wages of any subordinate official or employee in any department of the city shall take effect unless approved by the mayor.

Mayor to approve salary or wage increases.

Part 7. At the beginning of each municipal year but not later than sixty days thereafter, the mayor shall make and transmit to the city council a budget of the expenditures required for the year. Such budget shall be framed and itemized so as to show separately the amounts required by each department, office, board, commission or sub-division of the government, in a manner not inconsistent with the General Laws. The amounts required for labor shall when practicable, be stated separately from those for materials and supplies. Such budget shall be in such form as to show in parallel columns, opposite each item, the corresponding amount paid for the previous year, and the amount thereof unexpended at the close of such year. The mayor shall make or cause to be made, and shall transmit to the city council

Mayor to make and transmit a budget, etc.

Form of budget.

Estimate of revenues, etc., to accompany budget.

with the budget, an itemized estimate of the revenues of the year from all sources except taxation from real and personal property and polls; a statement of the balance unpaid at the close of the previous year on account of temporary and permanent loans, and the amount due, by financial years, as unpaid taxes on real and personal property and polls; an itemized statement of the debt with interest becoming due during the year, and the margin available for loans within the debt limit for the year. In all cases the finances of the water department shall be shown separately.

City council to consider budget recommendations, make appropriations, etc.

The city council shall consider the recommendations as submitted in the annual budget presented by the mayor, and make therefrom the annual appropriations for all departments of the city, and may reduce or reject any item, but, without the approval of the mayor, shall not increase any item in or the total of the budget, nor add any item thereto. If the city council fails to approve or disapprove any item in said budget, within thirty days after its receipt, such item shall, without any council action, become a part of the budget for the year, and the sum named shall be available for the purpose designated.

Examination of books and accounts of city, etc.

Part 8. At the end of the municipal year the mayor shall cause a complete examination of all books and accounts of the city to be made by competent accountants, and shall publish the result of such examination in the manner provided for the publication of monthly statements, as provided in section forty-four.

Civil service laws not to apply to certain appointments by mayor.

Part 9. The civil service laws and regulations shall not apply to the appointment of the mayor's secretaries, or to the stenographers, clerks, telephone operators and messengers connected with the mayor's office, and the mayor may remove such appointees without a hearing, and without making a statement of the cause for their removal.

Vacancy in office of mayor, how filled.

Part 10. If a vacancy occurs in the office of the mayor prior to the last six months of his term, the city council shall order a special election to fill the same for the unexpired term; and if a vacancy occurs in said office during the last six months of his term the president of the council shall succeed thereto for the remainder of the term.

President of city council as "acting mayor", powers, etc.

Part 11. If the mayor is absent or temporarily unable from any cause to perform his duties, they shall be performed by the president of the city council, who shall for the time being be designated "acting mayor", and shall possess the power of mayor only in matters not admitting of delay, and

shall have no power to make permanent appointments. If the president of the city council is also absent, or unable to serve, the city council shall elect an acting mayor from its own membership. Should the administrative head of a department, or member of a board or commission be temporarily unable for any cause to perform his duties, the mayor may designate, without confirmation by the city council a temporary appointee until such official shall resume his duties.

Temporary appointments when certain officials are unable to perform duties.

MONTHLY STATEMENTS TO BE PUBLISHED.

SECTION 44. The city auditor shall each month have printed in pamphlet form a statement of all cash receipts and expenditures of the city during the preceding month, and of all bills and accounts owed by the city at the end of the preceding month, in such a manner as to show the gross monthly revenue, and expense of each department, and shall furnish copies thereof to the public library, to the newspapers published in said city, and to persons who shall apply therefor at his office. The provisions of this section shall apply to the school department, and the school committee shall furnish the city auditor with such information, facts, figures and data as may be necessary to carry out the provisions of this section so far as it applies to the said department.

City auditor to have monthly statement printed, etc.

SECTION 45. In addition to the duties prescribed by this act, by statute or by ordinance, it shall be the duty of the mayor and the city solicitor, or of some other person by them duly authorized, to appear and represent the city and the citizens before committees of the general court, the department of public utilities, or persons appointed to hear evidence in cases involving the price of gas, electricity, railroad or street railway fares, and as to all other matters affecting the public.

Mayor and city solicitor to represent city before committees of general court, etc.

They shall make a report in writing to the city council of the business at each hearing, with such recommendations as a study of the conditions appears to them to warrant. Such report and recommendations shall be made to the meeting of the city council next following. The mayor and the city solicitor, or some person by them duly authorized, shall by vote of the council take such further action in said matters as the city council may authorize.

Report of hearings attended, etc.

CONTRACTS.

Contracts, how
awarded,
advertising,
etc.

SECTION 46. Part 1. All contracts for more than five hundred dollars involving material or labor shall be awarded to the lowest responsible bidder, after competition and public advertisement in at least one daily newspaper published in the city at least seven days before the opening of bids.

Advertise-
ments, how
based, con-
tents, etc.

Part 2. All advertisements shall be based upon plans and specifications furnished by the city, and shall state the amount and quality of the proposed work, and the requirements imposed by the city for the successful completion of the same.

Reservation of
right to reject
bids.

Part 3. There shall be a clause inserted in all advertisements for contracts reserving the right to the city to reject any or all bids.

Signing of
contracts.

Part 4. All contracts shall be signed for the city by the administrative head of the department making the contract and by the mayor.

SALARIES.

City council
to establish
salaries of
heads of
departments,
etc.

SECTION 47. The city council shall establish by ordinance the salary or compensation of every paid administrative head of a department. Any such salary or compensation shall be established or changed only at the time of the making of the budget appropriation. No increase in salary or compensation of any paid administrative head of a department, made after the acceptance of this act, shall be effective after the beginning of the fiscal year nineteen hundred and twenty-two.

VACANCIES — CITY COUNCIL.

Vacancies in
city council,
how filled.

SECTION 48. If a vacancy occurs among the city councillors elected at large, the city council by a majority vote shall immediately fill such vacancy for the unexpired term from the list of qualified voters of the city. If a vacancy occurs among the city councillors elected by wards, the city council by a majority vote shall immediately fill such vacancy for the unexpired term from the list of qualified voters of the ward in which the vacancy occurred. A person elected to fill any such vacancy shall before entering upon the duties of the office, take oath before the city clerk faithfully to perform the same.

Adjournment,
etc., by less
than a quorum

SECTION 49. Less than a quorum of the city council and of the school committee may adjourn to a fixed day earlier

than the next regular meeting, and shall have power to compel the attendance of absent members, in such manner as the city council may by ordinance provide.

of city council
and school
committee.

SECTION 50. The city treasurer and collector of taxes shall have printed upon the face of each tax bill a summary of the appropriations for which the tax levy is made, the same to be in such form as the city council by vote may determine.

Summary of
appropriations
to be printed
upon tax bills.

SCHOOLS.

SECTION 51. Part 1. The management and control of the public schools of the city shall be vested in a school committee composed of nine members, elected at large by and from the qualified voters of the whole city and in accordance with the provisions of this act, for the term of two years from the first Monday of January following their election and until their successors are elected and qualified. Five of its members shall constitute a quorum and its meetings shall be public. All final votes of the school committee involving the expenditure of fifty dollars or over shall be by yeas and nays, and on request of one member any vote shall be by yeas and nays, and shall be entered upon the records. The affirmative vote of at least five members shall be necessary for the passage of any order, resolution or vote.

School
committee,
election,
terms,
votes, etc.

Part 2. The school committee shall meet for organization on the Tuesday next after the first Monday in January in each year, and on that day or so soon thereafter as may be, shall elect from their members a chairman, who shall, unless sooner removed, hold his office until the Tuesday next after the first Monday of the following January, and until his successor is elected and qualified. In the absence of the chairman so elected, a chairman for the time being shall be chosen. The school committee shall determine rules for its proceedings not inconsistent with this act or the general laws. The members of the school committee shall be sworn to the faithful discharge of their duties.

To organize,
elect chairman,
determine rules
for its pro-
ceedings, etc.

Part 3. Subject to chapter seventy-one of the General Laws, the school committee shall elect a superintendent of schools, and may under the laws regulating civil service appoint, suspend, or remove at pleasure such subordinate officers or assistants, including janitors of school buildings, as it may deem necessary for the proper discharge of its duties, and the conduct of its business. It shall, subject to said chapter seventy-one, define their terms of service and

To elect a
superintendent
of schools,
appoint sub-
ordinate officers
or assistants,
etc.

their duties and shall fix their compensation. No member of the school committee shall during the term for which he is elected, hold any other office or position the salary or compensation for which is payable out of the city treasury.

May provide temporary accommodations and to have control of all school buildings, etc.

Part 4. The school committee, in addition to the powers and duties pertaining by law to school committees, shall have power to provide, when necessary, temporary accommodations for school purposes, and shall have the control of all school buildings and of the grounds connected therewith.

To approve sites and plans for school buildings.

Part 5. No site for a school building shall be acquired by the city unless its approval by the school committee is first obtained. No plans for the construction of or alterations in a school building shall be accepted, and no work shall be begun on such construction or alteration unless the approval of the school committee therefor is first obtained. Nothing herein contained shall require such approval for the making of ordinary repairs.

Vacancies in membership, how filled.

Part 6. If a vacancy occurs in the membership of the school committee, the city council and school committee sitting in joint convention and by a majority vote of said convention shall immediately fill said vacancy for the unexpired term from the list of the qualified voters of the city.

INITIATIVE.

Initiative petition for passage of a measure.

SECTION 52. If a petition signed by a number of the voters of said city qualified to vote at city elections, equal to at least twenty-five per cent of the aggregate number of votes cast for candidates for mayor at the last preceding city election at which a mayor was elected, and requesting the city council to pass any measure therein set forth or described, except an order granted under chapters one hundred and sixty-four and one hundred and sixty-six of the General Laws, shall be filed in the office of the city clerk, the city council provided said measure is one which it has a legal right to pass, shall (a) Pass said measure without alteration within twenty days after the attachment of the election commission's certificate of sufficiency to such petition, or (b) Forthwith, after the expiration of twenty days following the attachment of the said certificate of sufficiency, call a special election, unless a biennial city election is to be held within ninety days after the attachment of such certificate, and at such special or biennial election, submit said measure without alteration to the voters of the city qualified as aforesaid.

City council to pass measure or submit it to voters.

The date of said election shall be fixed by the city council which shall be not less than forty nor more than fifty days after the date when the petition was presented by the election commission to the city council.

If, however, a petition like the above described petition, and signed by a number of qualified voters equal to at least ten per cent but less than twenty per cent of the aggregate number of votes cast as aforesaid, is filed as aforesaid, the city council shall (c) Pass the measure therein set forth or described without alteration, within twenty days after such attachment of the certificate of sufficiency, or (d) Submit the same to the qualified voters of the city at the next biennial city election.

Certain initiative petitions, duties of city council.

The vote upon the said measure at a biennial city election or at a special election shall be taken by ballot in answer to the question "Shall the measure (stating the nature of the same) be passed?" which shall be printed on the ballots after the list of candidates, if there be any. If a majority of the qualified voters voting on the proposed measure, shall vote in favor thereof it shall thereupon become a valid and binding measure of the city; and no such measure passed as aforesaid by the municipal council, upon petition as aforesaid, or which shall be adopted as aforesaid at any such biennial city election or special election, shall be repealed or amended, except by the qualified voters of the city at a biennial city election.

Referendum, printing of question on ballots, etc.

Effect of majority vote.

Any number of measures requested by petition as aforesaid may be voted upon at the same election, in accordance with the provisions of this section. The city council may submit a proposition for the repeal of any such measure or for amendment thereof, to be voted upon at any succeeding biennial city election; and should such proposition so submitted receive a majority of the votes cast thereon at such election, the measure shall thereby be repealed or amended accordingly. The vote upon such repeal or amendment at the biennial city election shall be taken by ballot in answer to the question "Shall the measure (stating the nature of the amendment)?" which shall be printed on the ballots after the list of candidates if there be any. Whenever any such measure or proposition is required by this act to be submitted at any election as aforesaid, the city clerk shall cause the same to be published once in each of the daily newspapers published in said city, such publication to be not more than

Any number of measures may be voted upon at same election.

City council may submit to voters proposition for repeal or amendment of a measure, etc.

Publication of measures, etc., before submission to voters.

Petitions may consist of one or more distinct papers, etc.

Supplementary petitions when insufficient number of signatures, etc.

Penalties may be prescribed for certain violations.

Referendum petition protesting against passage of a measure.

twenty nor less than five days before the submission of the measure or proposition to be voted upon. Petitions under the provision of this section may consist of one or more distinct papers. In each of such papers, the measure, the passage of which is requested, shall be set forth or described, and all such papers filed in any one day in the office of the city clerk shall be deemed to be part of the same petition. Such petition shall be signed, sworn to as to signatures, examined, re-examined and presented to the city council, and shall have the election commission's certificate of sufficiency or insufficiency attached thereto. If from the election commission's certificate the petition appears not to be signed by the requisite number of voters it may be supplemented within ten days after the date of such certificate, by other papers signed and sworn to as aforesaid, and all other papers containing a like demand and statement, and signed and sworn to as aforesaid, shall be deemed supplemental to the original petition. The election commission shall within ten days after the expiration of the time allowed for the filing the supplementary petition make a like examination of such petition if any is filed and shall attach thereto a new certificate, and if it appears from such new certificate that the petition is still insufficient as to the number of signers as aforesaid it shall be returned to the person or persons filing the same, without prejudice, however, to the filing of a new petition to the same effect. Any measure passed under the provisions of this section by the city council or by the voters may prescribe such penalties for its violation as the city council might prescribe in passing a similar measure.

REFERENDUM.

SECTION 53. If, during the ten days, or in case of granting, renewing or extending any general franchise or general right to occupy or use the streets, highways, bridges or public places of the city, thirty days, next following the passage of any measure by the city council, except an order, resolution or vote for the immediate preservation of the public health, safety, or financial credit of the city as provided in section forty-two, and except an order granted under chapters one hundred and sixty-four and one hundred and sixty-six of the General Laws, a petition signed by a number of voters of said city qualified to vote at city elections equal to at least twenty-five per cent of the aggregate number of votes cast for candidates for mayor at the last preceding city election

at which a mayor was elected, and protesting against the passage of such measure, shall be filed in the office of the city clerk, the operation of such measure shall be suspended, and it shall be the duty of the city council to reconsider the same; and if it is not wholly repealed, the city council shall submit it as is provided in sub-division (b) of section fifty-two, to the qualified voters of the city, and the said measure shall not go into effect or become operative unless a majority of the voters qualified as aforesaid voting on the same shall vote in favor thereof. The vote upon such measure at a biennial or special city election shall be taken by ballot in answer to the question "Shall the measure (stating the nature of the same) take effect?" which shall be printed on the ballot after the list of candidates if there be any. Whenever any such measure or proposition is required by this act to be submitted at any election as aforesaid the city clerk shall cause the same to be published once in each of the daily newspapers published in said city, said publication to be not more than twenty nor less than five days before the submission of the measure or proposition to be voted on.

Suspension of operation of measure and reconsideration by city council.

Submission to voters, etc.

Question to be printed on ballot, etc.

Publication of measures, etc., before submission to voters.

In each of such papers the measure, the passage of which is protested, shall be set forth as described, and all such papers filed in any one day shall be deemed to be parts of the same petition. Such petitions shall be signed, sworn to as to signatures, examined, presented to the municipal council, shall have the election commission's certificate of sufficiency or insufficiency attached thereto, and may be supplemented in the same manner as petitions filed under section fifty-two.

Measures protested against to be set forth in petition, etc.

SECTION 54. It shall not be necessary for the validity of any petition or statement provided for or required by the provisions of this act that any signer thereof add to his signature any residence other than the name of the street and the street number, if there be any, at which he resided on the previous first day of April.

Residence of signers of petitions, how stated, etc.

SECTION 55. All special acts and parts of special acts inconsistent herewith are hereby repealed, and no general act or part of a general act inconsistent herewith shall hereafter apply to the city of Lowell; provided, however, that such repeal shall not affect any act done or any right accruing or accrued or established or any suit or proceeding begun in any civil case before the time when the repeal takes effect, and that no offence committed and no penalty or forfeiture incurred under the acts or parts of acts hereby repealed, shall be affected by such repeal; and provided also, that all persons who at the time when said repeal takes effect shall hold any

Repeal of inconsistent special acts.

Provisos.

office under said act, shall continue to hold the same, except as otherwise provided herein; and provided, further, that all by-laws and ordinances of the city of Lowell in force at the time when said repeal takes effect, and not inconsistent with the provisions of this act, shall continue in force until the same are repealed or amended, and all officers elected under such by-laws and ordinances, shall continue in office, except as otherwise provided herein.

Beginning of
municipal year
when legal
holiday falls
on first
Monday of
January.
Act to be
submitted to
voters, etc.

SECTION 56. When a legal holiday shall fall on the first Monday of January, the government of the city of Lowell for that municipal year shall begin at ten o'clock of the forenoon of the next business day.

SECTION 57. This act shall be submitted to the qualified voters of the city of Lowell at a special election to be held on the third Tuesday of October in the current year, in answer to the question, which shall be placed upon the official ballot: — "Shall an act passed by the general court in the year nineteen hundred and twenty-one, entitled 'An Act to amend the charter of the city of Lowell', be accepted?" And the affirmative votes of a majority voting thereon shall be required for its acceptance. If so accepted it shall thereupon take effect for the regular city election to be held on the second Tuesday of the following December and for the preliminary election for nominations to be held on the third Tuesday preceding the aforesaid city election, for the statement of candidates and petitions accompanying statement of candidates to be filed by persons whose names are to be printed on the official ballot to be used at such preliminary election, for the election of political committees, and for all things which appertain and relate to said regular city election, preliminary election, statements of candidates, petitions accompanying said statements, and election of political committees; and it shall take effect for all other purposes at ten o'clock in the forenoon of the first Monday of January, nineteen hundred and twenty-two. *Approved May 11, 1921.*

Chap. 384 AN ACT ESTABLISHING THE SALARY OF FRANK W. COLE, CLERK IN CHARGE OF THE LEGISLATIVE DOCUMENT ROOM.

Be it enacted, etc., as follows:

Frank W. Cole,
salary
established.

SECTION 1. The salary of Frank W. Cole, as clerk in charge of the legislative document room in the state house, shall be two thousand dollars a year.

SECTION 2. The increase in salary provided for by this act shall not take effect until an appropriation has been made sufficient to cover the same, and then as of June first in the current year.

Time of taking effect.

Approved May 11, 1921.

AN ACT AUTHORIZING STATE TEXTILE SCHOOLS TO MAKE CERTAIN TESTS.

Chap.385

Be it enacted, etc., as follows:

Chapter seventy-four of the General Laws is hereby amended by inserting after section forty-six the following new section: — *Section 46A.* Said schools may make, under such regulations as their respective boards of trustees may from time to time prescribe, tests, comparative or otherwise, of new and useful improvements in textile machinery or of apparatus, dyes, compounds, processes, methods or means, directly or indirectly relating to the manufacture of textiles or to the machinery, tools, appliances and materials used in connection therewith. The person for whom any such test is made shall pay therefor on account of the commonwealth a sum not less than the actual cost thereof, including a reasonable amount for overhead expense. No such test shall be undertaken by any such school which in the opinion of its trustees will be likely to interfere with the regular, efficient and proper exercise of school functions. In the making of such tests preference shall be given to citizens of, and to corporations organized under the laws of, the commonwealth.

G. L. 74, new section after § 46.

Textile schools, authorized to make certain tests, etc.

Preference.

Approved May 11, 1921.

AN ACT AUTHORIZING THE BOSTON ELEVATED RAILWAY COMPANY TO TAKE CERTAIN INTERESTS IN LAND IN THE CITY OF BOSTON.

Chap.386

Be it enacted, etc., as follows:

SECTION 1. The Boston Elevated Railway Company is hereby authorized and empowered to take by eminent domain for railway purposes certain rights and interests hereinafter specified in and to a certain parcel of land in the city of Boston, being a portion of the land taken under an order of the street commissioners of the city of Boston, approved by the mayor, June twenty-fourth, nineteen hundred and ten, for the improvement of Stony Brook and its tributaries, and bounded and described as follows: easterly by Hyde Park avenue and Walk Hill street on a curved line at or near

Boston Elevated Railway Company, authorized to take for railway purposes certain interests in land in Boston.

the junction of said avenue and street, forty and forty-seven one hundredths feet; northerly by land now or formerly of Rueter and Company, seventy-nine and thirty-six one hundredths feet, and by land now or formerly of the Old Colony Railroad Company, twenty and ten one hundredths feet; westerly by land of the New York, New Haven and Hartford Railroad Company, lessee, forty-two and thirty-four one hundredths feet; southerly by land now or formerly of the Old Colony Railroad Company, nineteen and sixty-five one hundredths feet, and land now or formerly of Rueter and Company, ninety-five and thirty-four one hundredths feet; containing about four thousand four hundred and four square feet more or less. The rights and interests in said land, which the Boston Elevated Railway Company is hereby authorized and empowered to take, shall consist of an easement to locate, construct, maintain and operate an elevated railway and the right to construct, maintain and operate surface car tracks, sewer and drain connections and retaining walls in, upon and across the above described premises, reserving, however, to the said city the right at all times to enter upon the premises for the purpose of making necessary repairs or constructing additional works in connection with its use for sewerage and drainage purposes.

Taking, etc.,
to be recorded
in registry of
deeds for
Suffolk county.

SECTION 2. The taking authorized by the preceding section may be made by the board of trustees of the Boston Elevated Railway Company by recording in the registry of deeds for the county of Suffolk a description of the premises and the easement which is taken therein as certain as is required in a common conveyance of land, together with a statement signed by them that such easement is taken under the authority of this act, and said easement shall upon such recording be taken for, and shall vest in, said company, and such taking shall constitute an additional servitude upon the estates and for the purposes enumerated in section five of this act.

Damages, how
determined.

SECTION 3. If said company and said city, or any person having any right or interest in said property which is injured by such taking, are unable to agree as to the damages sustained by the city or any such person on account of such taking, such damages may be determined by a jury in the superior court for the county of Suffolk, on the petition thereof of said city or of said person filed in the clerk's office of said court within one year after such taking, and judgment shall be entered upon the determination of such jury, with

interest from the date of taking, and costs shall be taxed and execution issued in favor of the prevailing party as in civil cases.

SECTION 4. Such taking shall constitute a covenant and agreement by the company with the said city that it will not locate or construct any supporting columns or foundations of any elevated structure upon the premises described in section one of this act; that it will not do any act or thing which will interfere with the use of said premises by the said city for sewerage or drainage purposes; that it will not injure in any way such structures as are now in existence therein or are hereafter constructed beneath the present surface of said premises for sewerage or drainage purposes; and that it will indemnify and save harmless the said city from any damage or injury to any such structures resulting from the acts of itself, its agents, employees or contractors.

Covenant and agreement by the company with the city.

SECTION 5. The owners, lessees, mortgagees and other persons having an estate in lands abutting on Walk Hill street or Hyde Park avenue opposite a tract of land bounded by Washington street, Walk Hill street, Hyde Park avenue, Toll Gate way and land of the Old Colony Railroad Company which the Boston Elevated Railway Company has heretofore acquired or may hereafter acquire, shall be entitled to reasonable compensation from the Boston Elevated Railway Company for any diminution in the fair market value of their said property suffered by them by reason of the use of said tract of land for an elevated railway, terminal, repair shop or other railway purposes, and the construction of an elevated railway connecting said terminal with the elevated railway system of the Boston Elevated Railway Company under plans heretofore approved by the department of public utilities which said company is hereby authorized to construct. Any such person may at any time within three years after the beginning of use of any part of said land for any of said purposes, file in the clerk's office of the superior court for the county of Suffolk, a petition setting forth his claim against the corporation. He shall give said corporation fourteen days' notice of the filing of such petition and an answer thereto shall be filed by the corporation within thirty days from the return day of such notice. Such petition shall be heard by the court without a jury. Judgment shall be entered upon the finding together with interest from the date of the filing of the petition and execution shall issue as in other civil cases. The provisions of chapter seventy-nine of the General

Certain owners, etc., entitled to compensation, etc.

Petition setting forth claim, etc.

Certain
statutes to
apply, etc.

Laws relative to cases where damages are claimed to estates in which two or more persons have different, separate or several interests shall apply to all such proceedings. Such taking shall constitute a covenant and agreement by the company with said owners, lessees, mortgagees and other persons that they shall be entitled to recover such compensation in the manner hereinabove provided.

Approved May 11, 1921.

Chap.387 AN ACT RELATIVE TO THE TIME FOR FILING CERTAIN NOMINATION PAPERS.

Be it enacted, etc., as follows:

G. L. 53, § 10,
amended.

Section ten of chapter fifty-three of the General Laws is hereby amended by striking out, in the seventh line, the word "sixth", and inserting in place thereof the word: — ninth, — so that the first paragraph will read as follows: —

Time for filing
certificates of
nomination and
nomination
papers.

Certificates of nomination of candidates for offices to be filled by all the voters of the commonwealth, except for presidential electors, shall be filed on or before the seventh Monday, and of all other candidates for offices to be filled at a state election, including presidential electors, on or before the fifth Thursday, and nomination papers of all candidates for offices to be filled at a state election, on or before the ninth Monday, preceding the day of the election; but if there is a special election to fill any state office, certificates of nomination shall be filed on or before the twelfth day, and nomination papers on or before the eleventh day, preceding the day of such election.

Special
election.

Approved May 11, 1921.

Chap.388 AN ACT PROVIDING FOR ADDITIONAL WOMEN MEMBERS OF STATE COMMITTEES OF POLITICAL PARTIES.

Be it enacted, etc., as follows:

State
committees of
political
parties,
additional
women mem-
bers, etc.

In the year nineteen hundred and twenty-one or nineteen hundred and twenty-two, each state committee of a political party may add to its membership by electing as additional members not more than forty women who shall be legal voters of the commonwealth. No two of such members so added to any committee shall be legal voters of the same senatorial district. They shall hold office until January first, nineteen hundred and twenty-three, and shall have all the powers and duties of regularly elected members of the state committee to which they are added.

Approved May 11, 1921.

AN ACT TO PROVIDE FOR THE TAXATION OF CERTAIN PROP- *Chap. 389*
 ERTY OF THE COMMONWEALTH IN THE TOWN OF PROVINCE-
 TOWN.

Be it enacted, etc., as follows:

SECTION 1. Section five of chapter fifty-nine of the General Laws is hereby amended by inserting after the word "purposes", in the seventh line, the following: — lands and flats lying below high water mark in Provincetown harbor, belonging to the commonwealth of Massachusetts and occupied by private persons by license of the division of waterways and public lands of the department of public works, together with all wharves, piers and other structures which have been built thereon subsequent to the twenty-second day of May, nineteen hundred and twenty, and those which may hereafter be built on said lands and flats, in conformity with permits or licenses granted therefor by said division, which shall be taxed to the persons holding such permits or licenses, — so that the second clause as amended will read as follows: — *Second*, Property of the commonwealth, except real estate of which the commonwealth is in possession under a mortgage for condition broken, lands in Boston known as the commonwealth flats, if leased for business purposes, lands and flats lying below high water mark in Provincetown harbor, belonging to the commonwealth of Massachusetts and occupied by private persons by license of the division of waterways and public lands of the department of public works, together with all wharves, piers and other structures which have been built thereon subsequent to the twenty-second day of May, nineteen hundred and twenty, and those which may hereafter be built on said lands and flats, in conformity with permits or licenses granted therefor by said division, which shall be taxed to the persons holding such permits or licenses, buildings erected by lessees under section twenty-six of chapter seventy-five, and property taxable under chapter five hundred and seventy-five of the acts of nineteen hundred and twenty.

G. L. 59, § 5,
 amended.

Certain
 property of
 the common-
 wealth exempt
 from taxation.
 Exceptions.

SECTION 2. This act shall take effect as of April first in the current year.

Time of
 taking effect.

Approved May 11, 1921.

Chap.390 AN ACT DEFINING THE MEANING OF THE TERM "MEMBERS OF THE BOSTON FIRE DEPARTMENT" AND THE TERM "MEMBERS OF THE BOSTON PROTECTIVE DEPARTMENT" WITH RESPECT TO ADMINISTRATION OF THE BOSTON FIREMEN'S RELIEF FUND.

Be it enacted, etc., as follows:

Administration
of the Boston
Firemen's
Relief Fund.
Definition of
certain terms
with respect to.

The term "members of the Boston fire department", as used in chapter three hundred and eight of the acts of nineteen hundred and nine, as amended by chapter one hundred and thirty-four of the acts of nineteen hundred and eleven, and by chapter one hundred and sixty-eight of the acts of nineteen hundred and thirteen, shall be construed to mean and include only those members of the Boston fire department who are enrolled, classified and included within the fire-fighting force of said fire department, and men on probation therein, the chief of said fire department, deputy chiefs, district chiefs, captains, lieutenants, engineers, assistant engineers, hosemen and laddermen; and all other members of the Boston fire department who are, at the time when this act takes effect, actually enrolled and employed as such in the several other branches of said Boston fire department, as said branches are then defined and established. The term "members of the Boston protective department", as used in said chapter, amended as aforesaid, shall be construed to mean and include only those members of the Boston protective department, known and designated as superintendent, deputy superintendent, captains, lieutenants, permanent and auxiliary privates of the Boston protective department; provided, however, that nothing in this section contained shall be so construed as to abrogate, affect or impair any equitable or legal rights, which have vested in or accrued to any member of the Boston fire department, or of the Boston protective department, previous to the date when this act takes effect or to limit or impair any trust in existence at that time.

Approved May 11, 1921.

Proviso.

Chap.391 AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF THE COUNTY OF WORCESTER TO RECONSTRUCT A BRIDGE OVER MILLERS RIVER IN THE TOWN OF ATHOL.

Be it enacted, etc., as follows:

Worcester
county
commissioners
may reconstruct

SECTION 1. The county commissioners of the county of Worcester, subject to all general laws applicable thereto, may

construct a bridge in place of the present bridge over Millers river at the westerly end of Main street in the town of Athol, being at the easterly terminus of the state road leading from the town of Orange, and may change the location of the bridge so far as necessary to secure proper alignment with the highway as it now exists or as it may be relocated.

SECTION 2. The cost and expense incurred under this act shall not exceed the sum of eighty thousand dollars, and shall be paid, in the first instance, from the treasury of the county of Worcester. The said commissioners may borrow by a temporary loan or loans on the credit of the county such sums, not exceeding the said amount, as may from time to time be required for the cost and expense aforesaid, and may renew the same for such periods as may be necessary. All amounts so borrowed shall be deposited in the treasury of the county, and the treasurer shall pay out the same as ordered by the county commissioners and shall keep a separate and accurate account of all money borrowed and expended under the provisions of this act, including interest. Upon the completion of the bridge, the county commissioners shall file in the office of the clerk of the courts for the county a detailed statement, certified under their hands, of the actual cost of its construction, and they shall give notice to the town of Athol and assess upon said town a sum not exceeding fifty per cent of the said cost, and the said town shall pay into the treasury of the county the amount so assessed within sixty days after being notified by the county that all provisions of this act have been complied with; and if the town refuses or neglects to pay the amount assessed, the commissioners shall, after due notice, issue a warrant against the said town for its proportion, with interest and the cost of the notice and warrant, and the same shall be collected and paid into the treasury of the county, to be applied in payment of the expense aforesaid.

SECTION 3. For the purpose of paying the fifty per cent of the total cost which is to be borne by the county of Worcester, the county treasurer, with the approval of the county commissioners, may borrow from time to time such sums as may be necessary not exceeding, in the aggregate, forty thousand dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words, County of Worcester, Millers River Bridge Loan, Act of 1921, and shall be payable by such annual payments, beginning not more than one year after the date thereof, as will extinguish each

bridge over
Millers river
in Athol.

Payment of
cost.

Temporary
loan, etc.

Statement of
cost to be filed
and notice
given to
Athol, etc.

Worcester
county may
issue bonds to
pay its portion
of cost, etc.

County of
Worcester,
Millers River
Bridge Loan,
Act of 1921.

Town of Athol
may issue
bonds, etc.

Town of Athol,
Millers River
Bridge Loan,
Act of 1921.

loan within ten years from its date, and the amount of such annual payment in any year shall not be less than the amount of the principal of the loan payable in any subsequent year. Each authorized issue shall constitute a separate loan. The town of Athol, for the purpose of meeting its part of the cost of said bridge, may borrow from time to time such sums as may be necessary not exceeding, in the aggregate, forty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Town of Athol, Millers River Bridge Loan, Act of 1921. Each authorized issue shall constitute a separate loan and shall be payable within five years from its date. Indebtedness incurred by said town under this act shall be in excess of the statutory limit, but shall otherwise be subject to chapter forty-four of the General Laws. The said county and town may sell the said securities at public or private sale upon such terms and conditions as they may severally deem proper, but not for less than their par value, and the proceeds of the loan issued by the county shall be used only to pay temporary loans issued in accordance with section two or for the construction of said bridge, and the proceeds of the loan issued by said town shall be paid into the county treasury, to be applied to the payment of loans issued by the county in accordance with section two.

SECTION 4. This act shall take effect upon its passage.
Approved May 13, 1921.

Chap.392 AN ACT VALIDATING CERTAIN ACTS OF THE TOWN OF ATHOL.
Be it enacted, etc., as follows:

Town of Athol,
certain acts
validated.

SECTION 1. The action of the inhabitants of the town of Athol at the town meeting, March fifteenth, nineteen hundred and nine, accepting the provisions of sections one to fourteen, inclusive, of chapter twenty-eight of the Revised Laws relative to public parks, is hereby ratified and confirmed and shall have the same effect as if the inhabitants of said town had accepted such provisions in the manner provided therein.

SECTION 2. This act shall take effect upon its passage.
Approved May 13, 1921.

AN ACT MAKING CERTAIN CHANGES IN THE CHARTER OF THE CITY OF ATTLEBORO. *Chap. 393*

Be it enacted, etc., as follows:

SECTION 1. Section eleven of chapter six hundred and eighty of the acts of nineteen hundred and fourteen, as amended by section two of chapter one hundred and forty-one of the Special Acts of nineteen hundred and seventeen, is hereby further amended by inserting after the word "peace", in the sixth line, the words: — or any other person authorized by law to administer oaths, — so as to read as follows: — *Section 11.* The mayor, city clerk, city treasurer, city collector and councilmen elect, shall, on the first Tuesday of January of the year of the beginning of their terms of office, meet and be sworn to the faithful discharge of their duties. The oath shall be administered by a justice of the peace or any other person authorized by law to administer oaths and shall be certified and entered on the journal of the municipal council. In case the mayor elect is absent on the first Tuesday in January, or if a mayor shall not then have been elected, the oath of office may at any time thereafter be administered to him; and at any time thereafter in like manner the oath of office may be administered to any other elected officer who has been previously absent or has subsequently been elected; and every such oath shall be certified and entered as aforesaid.

1914, 680, § 11,
etc., amended.

City of
Attleboro.
Oath of office,
when and by
whom admin-
istered to
certain city
officials.

SECTION 2. Section twelve of said chapter six hundred and eighty is hereby amended by inserting after the word "peace", in the twenty-second line, the words: — or any other person authorized by law to administer oaths, — so as to read as follows: — *Section 12.* After the oath has been administered to the councilmen present, they shall be called to order at their first organization by the city clerk, or, in case of the absence of the city clerk, by the senior member present, who shall preside until the president of the municipal council has been elected and qualified. The municipal council shall then proceed to elect by ballot one of their number president of the council. If no quorum is present an adjournment shall be taken to a later hour, or to the next day, and thereafter the same proceedings shall be had from day to day until a quorum shall be present. If any person receives the votes of a majority of all the members of the council, such person shall be declared chosen president of the

1914, 680, § 12,
amended.

Municipal
council,
organization,
etc.

council. If on the first day on which a quorum is present no person receives a vote of such majority, the members of the council shall proceed to ballot until some person receives a vote of such majority or until an adjournment to the succeeding day is taken, and on such succeeding day a plurality of those voting shall be sufficient for an election. No other business shall be in order until a president is chosen. The president shall be sworn by the city clerk, or, in case of the absence of the clerk, by a justice of the peace or any other person authorized by law to administer oaths. The president of the municipal council shall have the same right to vote as any other member thereof.

1914, 680, § 14,
amended.

Passage of
ordinances,
orders, etc.

Proviso.

SECTION 3. Said chapter six hundred and eighty is hereby further amended by striking out section fourteen and inserting in place thereof the following: — *Section 14.* Any ordinance, order or resolution of the municipal council may be passed through all its stages of legislation at one session, provided that no member of the council objects thereto; but if one or more members object, the measure shall be postponed for not less than seven days; and if, when it is next brought up, five or more members object to its passage at that session, a second postponement of at least one week shall be made.

1914, 680, § 19,
amended.

Appropriations.

SECTION 4. Section nineteen of said chapter six hundred and eighty is hereby amended by striking out the first sentence and inserting in place thereof the following: — The municipal council shall appropriate annually, in accordance with the provisions of section thirty-two of chapter forty-four of the General Laws and amendments thereof, the amount necessary to meet the expenditures of the city for the current financial year, — so as to read as follows: — *Section 19.* The municipal council shall appropriate annually, in accordance with the provisions of section thirty-two of chapter forty-four of the General Laws and amendments thereof, the amount necessary to meet the expenditures of the city for the current financial year. In making such appropriation it shall have an itemized and detailed statement from the mayor of the moneys required, and shall make such appropriations in detail, clearly specifying the amount to be expended for each particular purpose. It shall take care that no money is paid from the treasury unless granted or appropriated, and shall secure a just and proper accountability by requiring bonds with sufficient penalties and sureties from all city officials entrusted with the receipt, custody or disbursement of money,

and from each employee of the city entrusted with the same. It shall as often as once a year, and at least ten days prior to the annual election, cause to be published for the use of the inhabitants, a particular account of the receipts and expenditures of the city, and a schedule of all city property and of the city debt.

Receipts, etc., to be published annually.

SECTION 5. Section twenty-five of said chapter six hundred and eighty is hereby amended by striking out the second paragraph and inserting in place thereof the following:— Notice thereof shall be given by posting attested copies in a public place in each precinct of every ward of the city seven days at least before the said election and by publishing the same in some newspaper printed in Attleboro.

1914, 680, § 25, amended.

Referendum measures, public notice of.

SECTION 6. This act shall take effect upon its passage.

Approved May 13, 1921.

AN ACT RELATIVE TO THE TAXATION OF CERTAIN CORPORATIONS.

Chap. 394

Whereas, The deferred operation of this act would tend to defeat its purpose which in part is to provide for an equitable determination of the corporate franchise tax rate for the current year, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency preamble.

Be it enacted, etc., as follows:

Chapter sixty-three of the General Laws is hereby amended by striking out section fifty-eight and inserting in place thereof the following:— *Section 58.* Every corporation subject to section fifty-three or fifty-four shall annually pay a tax upon its corporate franchise, after making the deductions provided for in section fifty-five, at a rate equal to the average of the annual rates for three years preceding that in which such assessment is laid, said annual rates to be determined by an apportionment of the whole amount of money to be raised by taxation upon property in the commonwealth during each of the said three years, as returned by the assessors of the several towns under section forty-seven of chapter fifty-nine, upon the aggregate valuation of all towns for each of the said three years, as returned under said section forty-seven; but the total amount of the tax to be paid by a trust company in any year upon the value of its corporate franchise shall amount to not less than two fifths of one per

G. L. 63, § 58, amended.

Tax to be paid on corporate franchise.

Rate, how determined.

cent of the total amount of its capital stock, surplus and undivided profits at the time of said assessment, as found by the commissioner.

Approved May 13, 1921.

Chap.395 AN ACT AUTHORIZING THE APPOINTMENT OF ASSISTANT ASSESSORS IN THE TOWN OF MIDDLEBOROUGH.

Be it enacted, etc., as follows:

1920, 592, § 11,
amended.

Town of
Middle-
borough,
assistant
assessors.

To be sub-
mitted to the
voters, etc.

SECTION 1. Section eleven of chapter five hundred and ninety-two of the acts of nineteen hundred and twenty is hereby amended by adding at the end thereof the following:— The selectmen may also appoint and remove citizens of the town to act as assistant assessors who shall have all the powers conferred by the general laws on assistant assessors in towns.

SECTION 2. This act shall be submitted to the voters of the town of Middleborough at a special town meeting called for that purpose, and shall take effect upon its acceptance by a majority of the voters voting thereon. For the purpose of such acceptance, it shall take effect upon its passage.

Approved May 13, 1921.

Chap.396 AN ACT REVIVING THE CORPORATION KNOWN AS THE MARSHFIELD LAUNDRY, INC.

Be it enacted, etc., as follows:

Marshfield
Laundry, Inc.,
revived.

SECTION 1. The Marshfield Laundry, Inc., a corporation dissolved by chapter two hundred and twelve of the acts of nineteen hundred and twenty is hereby revived with the same powers, duties and obligations as if the said chapter had not been passed.

Time of
taking effect.

SECTION 2. This act shall take effect as of March thirty-first in the current year.

Approved May 13, 1921.

Chap.397 AN ACT TO AUTHORIZE THE METROPOLITAN DISTRICT COMMISSION TO COMPLETE THE ACQUISITION OF LAND FOR WINTHROP PARKWAY, TO CONSTRUCT SAID PARKWAY AND TO PROTECT LEVERETT AND WINTHROP AVENUES IN THE CITY OF REVERE AND THE TOWN OF WINTHROP FROM DAMAGE BY THE OCEAN.

Be it enacted, etc., as follows:

Metropolitan
district
commission,

SECTION 1. The metropolitan district commission is hereby authorized to complete the acquisition of lands neces-

sary for the extension of Winthrop parkway to the junction of Revere street and Sewall avenue in the town of Winthrop and to construct a sea wall and roadway over the land now owned by the commonwealth or acquired under this act from the southerly end of the present roadway on Winthrop parkway to said junction of Revere street and Sewall avenue. For the purpose of carrying out the provisions of this act, said commission may acquire lands and rights therein by purchase or by eminent domain under chapter seventy-nine of the General Laws. For the purpose of carrying out the provisions of this act said commission may expend the sum of two hundred and twenty-five thousand dollars.

completion of
Winthrop
parkway, etc.

SECTION 2. The payments authorized by this act shall in the first instance be made from the Metropolitan Parks Maintenance Fund, Boulevards, and upon the completion of the work twenty per cent of the cost thereof shall be assessed by the state treasurer upon the city of Revere and twenty per cent upon the town of Winthrop. The said city and the said town shall within sixty days after receipt of notice of the amount due from them under this act pay such amount into the state treasury, and in case of failure to pay, the state treasurer shall assess such amount as a part of the state tax.

Payment of
cost.

SECTION 3. For the purpose of meeting the assessments provided in section two, the city of Revere and the town of Winthrop are each hereby authorized to borrow such sum as may be necessary, not exceeding forty-five thousand dollars, and may issue serial bonds or notes for a term not exceeding twenty years. Indebtedness incurred under this section shall be in excess of the statutory limit but shall otherwise be subject to the provisions of chapter forty-four of the General Laws.

Revere and
Winthrop may
issue bonds,
etc., to pay
assessments of
cost, etc.

Approved May 14, 1921.

AN ACT PROVIDING FOR THE RECONSTRUCTION BY THE METROPOLITAN DISTRICT COMMISSION OF CRADOCK BRIDGE OVER MYSTIC RIVER IN THE CITY OF MEDFORD.

Chap. 398

Be it enacted, etc., as follows:

SECTION 1. The metropolitan district commission is hereby authorized and directed to reconstruct, widen and improve Cradock bridge over the Mystic river in the city of Medford so that the bridge as widened shall conform in width to that part of Main street as it is now laid out between Medford square and Mystic river, and in such manner

Metropolitan
district
commission
authorized
to reconstruct
Cradock bridge
over Mystic
river in
Medford.

Payment of
expense.

Medford
Cradock
Bridge Loan,
Act of 1921.

as to make the bridge safe and convenient for present and future travel upon the same. For the purpose of carrying out the provisions of this act the said commission may expend a sum not exceeding twenty thousand dollars out of the Metropolitan Parks Maintenance Fund, fifty per cent of which, upon the completion of the work, shall be specially assessed upon the city of Medford as a part of its state tax.

SECTION 2. The city of Medford may, for the purpose of paying the fifty per cent assessed against that city, borrow such sums as may be necessary not exceeding, in the aggregate, ten thousand dollars, and may issue bonds or notes therefor which shall bear on their face the words, Medford Cradock Bridge Loan, Act of 1921. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than twenty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit but shall otherwise be subject to chapter forty-four of the General Laws.

SECTION 3. This act shall take effect upon its passage.
Approved May 16, 1921.

Chap.399 AN ACT TO APPORTION AND ASSESS THE SPECIAL STATE TAX REQUIRED BY THE ACT TO IMPOSE SPECIAL TAXES TO PROVIDE SUITABLE RECOGNITION OF THOSE RESIDENTS OF MASSACHUSETTS WHO SERVED IN THE ARMY AND NAVY OF THE UNITED STATES DURING THE WAR WITH GERMANY.

Emergency
preamble.

Whereas, A delay in the taking effect of this act would greatly embarrass the commonwealth in meeting its lawful obligations, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Special state
tax for
payment of
gratuity to
soldiers,
sailors, etc.,
apportioned
and assessed.

SECTION 1. Each city and town in this commonwealth, shall be assessed and pay the sum with which it stands charged in the following schedule, that is to say: —

Abington, six hundred and twenty-seven dollars, . . .	\$627 00
Acton, three hundred thirty-six dollars and sixty cents, . . .	336 60
Acushnet, two hundred forty-four dollars and twenty cents, . . .	244 20
Adams, thirteen hundred dollars and twenty cents, . . .	1,300 20
Agawam, five hundred eighty dollars and eighty cents, . . .	580 80
Alford, twenty-six dollars and forty cents, . . .	26 40

Amesbury, eleven hundred ninety-four dollars and sixty cents, . . .	\$1,194 60	Special state tax for payment of gratuity to soldiers, sailors, etc., apportioned and assessed.
Amherst, eight hundred thirty-eight dollars and twenty cents, . . .	838 20	
Andover, twelve hundred and twenty-one dollars, . . .	1,221 00	
Arlington, twenty-six hundred and seventy-three dollars, . . .	2,673 00	
Ashburnham, two hundred twenty-four dollars and forty cents, . . .	224 40	
Ashby, one hundred twenty-five dollars and forty cents, . . .	125 40	
Ashfield, one hundred and thirty-two dollars, . . .	132 00	
Ashland, two hundred forty-four dollars and twenty cents, . . .	244 20	
Athol, fourteen hundred ninety-one dollars and sixty cents, . . .	1,491 60	
Attleboro, twenty-seven hundred ninety-eight dollars and forty cents, . . .	2,798 40	
Auburn, three hundred ten dollars and twenty cents, . . .	310 20	
Avon, one hundred seventy-eight dollars and twenty cents, . . .	178 20	
Ayer, four hundred fifty-five dollars and forty cents, . . .	455 40	
Barnstable, ten hundred ninety-five dollars and sixty cents, . . .	1,095 60	
Barre, four hundred fifteen dollars and eighty cents, . . .	415 80	
Becket, one hundred five dollars and sixty cents, . . .	105 60	
Bedford, two hundred fifty-seven dollars and forty cents, . . .	257 40	
Belchertown, one hundred fifty-eight dollars and forty cents, . . .	158 40	
Bellingham, two hundred four dollars and sixty cents, . . .	204 60	
Belmont, seventeen hundred thirty-five dollars and eighty cents, . . .	1,735 80	
Berkley, eighty-five dollars and eighty cents, . . .	85 80	
Berlin, ninety-two dollars and forty cents, . . .	92 40	
Bernardston, eighty-five dollars and eighty cents, . . .	85 80	
Beverly, forty-seven hundred forty-five dollars and forty cents, . . .	4,745 40	
Billerica, eight hundred forty-four dollars and eighty cents, . . .	844 80	
Blackstone, two hundred ninety dollars and forty cents, . . .	290 40	
Blandford, ninety-nine dollars, . . .	99 00	
Bolton, one hundred five dollars and sixty cents, . . .	105 60	
Boston, two hundred thousand nine hundred and thirty-seven dollars, . . .	200,937 00	
Bourne, seven hundred forty-five dollars and eighty cents, . . .	745 80	
Boxborough, thirty-nine dollars and sixty cents, . . .	39 60	
Boxford, one hundred twelve dollars and twenty cents, . . .	112 20	
Boylston, eighty-five dollars and eighty cents, . . .	85 80	
Braintree, thirteen hundred six dollars and eighty cents, . . .	1,306 80	
Brewster, one hundred five dollars and sixty cents, . . .	105 60	
Bridgewater, seven hundred seventy-eight dollars and eighty cents, . . .	778 80	

Special state
tax for
payment of
gratuity to
soldiers,
sailors, etc.,
apportioned
and assessed.

Brimfield, ninety-nine dollars,	\$99 00
Brockton, eighty-nine hundred and forty-three dollars,	8,943 00
Brookfield, two hundred forty-four dollars and twenty cents,	244 20
Brookline, eleven thousand seven hundred eighty-seven dollars and sixty cents,	11,787 60
Buckland, two hundred and ninety-seven dollars,	297 00
Burlington, one hundred forty-five dollars and twenty cents,	145 20
Cambridge, eighteen thousand nine hundred ninety-four dollars and eighty cents,	18,994 80
Canton, eight hundred seventy-one dollars and twenty cents,	871 20
Carlisle, sixty-six dollars,	66 00
Carver, two hundred fifty dollars and eighty cents,	250 80
Charlemont, ninety-nine dollars,	99 00
Charlton, two hundred twenty-four dollars and forty cents,	224 40
Chatham, three hundred ten dollars and twenty cents,	310 20
Chelmsford, seven hundred fifty-two dollars and forty cents,	752 40
Chelsea, fifty-two hundred and eighty dollars,	5,280 00
Cheshire, one hundred thirty-eight dollars and sixty cents,	138 60
Chester, one hundred forty-five dollars and twenty cents,	145 20
Chesterfield, fifty-nine dollars and forty cents,	59 40
Chicopee, forty-eight hundred four dollars and eighty cents,	4,804 80
Chilmark, fifty-nine dollars and forty cents,	59 40
Clarksburg, sixty-six dollars,	66 00
Clinton, fourteen hundred seventy-one dollars and eighty cents,	1,471 80
Cohasset, seven hundred eighty-five dollars and forty cents,	785 40
Colrain, one hundred seventy-one dollars and sixty cents,	171 60
Concord, nine hundred ninety-six dollars and sixty cents,	996 60
Conway, one hundred twenty-five dollars and forty cents,	125 40
Cummington, fifty-two dollars and eighty cents,	52 80
Dalton, five hundred eighty dollars and eighty cents,	580 80
Dana, sixty-six dollars,	66 00
Danvers, twelve hundred fourteen dollars and forty cents,	1,214 40
Dartmouth, eight hundred eleven dollars and eighty cents,	811 80
Dedham, eighteen hundred and forty-eight dollars,	1,848 00
Deerfield, four hundred sixty-eight dollars and sixty cents,	468 60
Dennis, one hundred and ninety-eight dollars,	198 00
Dighton, three hundred seventy-six dollars and twenty cents,	376 20

Douglas, two hundred eighty-three dollars and eighty cents, . . .	\$283 80	Special state tax for payment of gratuity to soldiers, sailors, etc., apportioned and assessed.
Dover, three hundred and sixty-three dollars, . . .	363 00	
Dracut, three hundred and ninety-six dollars, . . .	396 00	
Dudley, four hundred fifty-five dollars and forty cents, . . .	455 40	
Dunstable, sixty-six dollars, . . .	66 00	
Duxbury, four hundred and twenty-nine dollars, . . .	429 00	
East Bridgewater, five hundred thirty-four dollars and sixty cents, . . .	534 60	
East Longmeadow, two hundred thirty-seven dollars and sixty cents, . . .	237 60	
Eastham, fifty-nine dollars and forty cents, . . .	59 40	
Easthampton, fifteen hundred and eighteen dollars, . .	1,518 00	
Easton, five hundred eighty-seven dollars and forty cents, . . .	587 40	
Edgartown, two hundred seventeen dollars and eighty cents, . . .	217 80	
Egremont, eighty-five dollars and eighty cents, . . .	85 80	
Enfield, ninety-two dollars and forty cents, . . .	92 40	
Erving, two hundred thirty-seven dollars and sixty cents, . . .	237 60	
Essex, one hundred ninety-one dollars and forty cents, .	191 40	
Everett, fifty-four hundred eighty-four dollars and sixty cents, . . .	5,484 60	
Fairhaven, eight hundred thirty-eight dollars and twenty cents, . . .	838 20	
Fall River, seventeen thousand seven hundred fourteen dollars and forty cents, . . .	17,714 40	
Falmouth, nine hundred four dollars and twenty cents, .	904 20	
Fitchburg, sixty-two hundred eighty-three dollars and twenty cents, . . .	6,283 20	
Florida, one hundred twenty-five dollars and forty cents, . . .	125 40	
Foxborough, four hundred fifteen dollars and eighty cents, . . .	415 80	
Framingham, three thousand nine dollars and sixty cents, . . .	3,009 60	
Franklin, seven hundred ninety-eight dollars and sixty cents, . . .	798 60	
Freetown, one hundred seventy-eight dollars and twenty cents, . . .	178 20	
Gardner, seventeen hundred sixty-two dollars and twenty cents, . . .	1,762 20	
Gay Head, six dollars and sixty cents, . . .	6 60	
Georgetown, one hundred eighty-four dollars and eighty cents, . . .	184 80	
Gill, ninety-two dollars and forty cents, . . .	92 40	
Gloucester, thirty-seven hundred and ninety-five dollars, . . .	3,795 00	
Goshen, thirty-nine dollars and sixty cents, . . .	39 60	
Gosnold, one hundred twelve dollars and twenty cents, .	112 20	
Grafton, six hundred thirteen dollars and eighty cents, .	613 80	
Granby, one hundred five dollars and sixty cents, . . .	105 60	
Granville, seventy-nine dollars and twenty cents, . . .	79 20	

Special state
tax for
payment of
gratuity to
soldiers,
sailors, etc.,
apportioned
and assessed.

Great Barrington, eleven hundred fifteen dollars and forty cents,	\$1,115 40
Greenfield, twenty-two hundred eighty-three dollars and sixty cents,	2,283 60
Greenwich, forty-six dollars and twenty cents,	46 20
Groton, four hundred two dollars and sixty cents,	402 60
Groveland, two hundred eleven dollars and twenty cents,	211 20
Hadley, three hundred thirty-six dollars and sixty cents,	336 60
Halifax, ninety-nine dollars,	99 00
Hamilton, five hundred one dollars and sixty cents,	501 60
Hampden, sixty-six dollars,	66 00
Hancock, fifty-two dollars and eighty cents,	52 80
Hanover, two hundred and ninety-seven dollars,	297 00
Hanson, three hundred ten dollars and twenty cents,	310 20
Hardwick, five hundred eighty dollars and eighty cents,	580 80
Harvard, two hundred fifty-seven dollars and forty cents,	257 40
Harwich, two hundred and sixty-four dollars,	264 00
Hatfield, two hundred and ninety-seven dollars,	297 00
Haverhill, seven thousand and sixty-two dollars,	7,062 00
Hawley, thirty-nine dollars and sixty cents,	39 60
Heath, thirty-nine dollars and sixty cents,	39 60
Hingham, nine hundred and twenty-four dollars,	924 00
Hinsdale, one hundred twelve dollars and twenty cents,	112 20
Holbrook, two hundred and ninety-seven dollars,	297 00
Holden, three hundred sixteen dollars and eighty cents,	316 80
Holland, nineteen dollars and eighty cents,	19 80
Holliston, two hundred and ninety-seven dollars,	297 00
Holyoke, ten thousand one hundred seventy dollars and sixty cents,	10,170 60
Hopedale, seven hundred and twenty-six dollars,	726 00
Hopkinton, two hundred seventy dollars and sixty cents,	270 60
Hubbardston, one hundred twelve dollars and twenty cents,	112 20
Hudson, seven hundred seventy-two dollars and twenty cents,	772 20
Hull, thirteen hundred thirty-nine dollars and eighty cents,	1,339 80
Huntington, one hundred and thirty-two dollars,	132 00
Ipswich, eight hundred sixty-four dollars and sixty cents,	864 60
Kingston, two hundred fifty dollars and eighty cents,	250 80
Lakeville, one hundred seventy-one dollars and sixty cents,	171 60
Lancaster, three hundred twenty-three dollars and forty cents,	323 40
Lanesborough, one hundred eighteen dollars and eighty cents,	118 80
Lawrence, twelve thousand seven hundred fifty-one dollars and twenty cents,	12,751 20
Lee, four hundred eighty-one dollars and eighty cents,	481 80

Leicester, four hundred nine dollars and twenty cents, .	\$409 20	Special state tax for payment of gratuity to soldiers, sailors, etc., apportioned and assessed.
Lenox, nine hundred seventeen dollars and forty cents, .	917 40	
Leominster, twenty-two hundred four dollars and forty cents, .	2,204 40	
Leverett, sixty-six dollars,	66 00	
Lexington, eleven hundred and twenty-two dollars, .	1,122 00	
Leyden, thirty-nine dollars and sixty cents,	39 60	
Lincoln, two hundred fifty dollars and eighty cents, .	250 80	
Littleton, one hundred seventy-eight dollars and twenty cents,	178 20	
Longmeadow, five hundred and twenty-eight dollars, .	528 00	
Lowell, fourteen thousand seventy-one dollars and twenty cents,	14,071 20	
Ludlow, nine hundred seventeen dollars and forty cents, .	917 40	
Lunenburg, two hundred twenty-four dollars and forty cents,	224 40	
Lynn, thirteen thousand seven hundred sixty-seven dollars and sixty cents,	13,767 60	
Lynnfield, two hundred eleven dollars and twenty cents, .	211 20	
Malden, fifty-eight hundred and eight dollars,	5,808 00	
Manchester, fourteen hundred ninety-eight dollars and twenty cents,	1,498 20	
Mansfield, eight hundred seventy-seven dollars and eighty cents,	877 80	
Marblehead, fourteen hundred seventy-one dollars and eighty cents,	1,471 80	
Marion, four hundred fifteen dollars and eighty cents, .	415 80	
Marlborough, seventeen hundred twenty-nine dollars and twenty cents,	1,729 20	
Marshfield, three hundred forty-nine dollars and eighty cents,	349 80	
Mashpee, fifty-nine dollars and forty cents,	59 40	
Mattapoisett, two hundred thirty-seven dollars and sixty cents,	237 60	
Maynard, six hundred seventy-three dollars and twenty cents,	673 20	
Medfield, two hundred ninety dollars and forty cents, .	290 40	
Medford, forty-six hundred seventy-two dollars and eighty cents,	4,672 80	
Medway, two hundred seventy dollars and sixty cents, .	270 60	
Melrose, twenty-five hundred and seventy-four dollars, .	2,574 00	
Mendon, one hundred five dollars and sixty cents, . . .	105 60	
Merrimac, two hundred thirty-seven dollars and sixty cents,	237 60	
Methuen, nineteen hundred twenty dollars and sixty cents,	1,920 60	
Middleborough, seven hundred ninety-eight dollars and sixty cents,	798 60	
Middlefield, thirty-three dollars,	33 00	
Middleton, one hundred thirty-eight dollars and sixty cents,	138 60	
Milford, fourteen hundred seventy-one dollars and eighty cents,	1,471 80	
Millbury, six hundred dollars and sixty cents,	600 60	

Special state
tax for
payment of
gratuity to
soldiers,
sailors, etc.,
apportioned
and assessed.

Millis, two hundred and sixty-four dollars, . . .	\$264 00
Millville, one hundred eighty-four dollars and eighty cents, . . .	184 80
Milton, twenty-four hundred ninety-four dollars and eighty cents, . . .	2,494 80
Monroe, thirty-nine dollars and sixty cents, . . .	39 60
Monson, three hundred twenty-three dollars and forty cents, . . .	323 40
Montague, eleven hundred forty-eight dollars and forty cents, . . .	1,148 40
Monterey, fifty-nine dollars and forty cents, . . .	59 40
Montgomery, twenty-six dollars and forty cents, . . .	26 40
Mount Washington, nineteen dollars and eighty cents, . . .	19 80
Nahant, five hundred fifty-four dollars and forty cents, . . .	554 40
Nantucket, six hundred eighty-six dollars and forty cents, . . .	686 40
Natick, twelve hundred and fifty-four dollars, . . .	1,254 00
Needham, thirteen hundred fifty-nine dollars and sixty cents, . . .	1,359 60
New Ashford, thirteen dollars and twenty cents, . . .	13 20
New Bedford, eighteen thousand one hundred and eighty-three dollars, . . .	18,183 00
New Braintree, fifty-nine dollars and forty cents, . . .	59 40
New Marlborough, one hundred fifty-one dollars and eighty cents, . . .	151 80
New Salem, seventy-two dollars and sixty cents, . . .	72 60
Newbury, two hundred seventy dollars and sixty cents, . . .	270 60
Newburyport, seventeen hundred fifty-five dollars and sixty cents, . . .	1,755 60
Newton, ten thousand forty-five dollars and twenty cents, . . .	10,045 20
Norfolk, one hundred seventy-one dollars and sixty cents, . . .	171 60
North Adams, twenty-five hundred eighty dollars and sixty cents, . . .	2,580 60
North Andover, eleven hundred forty-eight dollars and forty cents, . . .	1,148 40
North Attleborough, twelve hundred fourteen dollars and forty cents, . . .	1,214 40
North Brookfield, two hundred and ninety-seven dollars, . . .	297 00
North Reading, one hundred fifty-one dollars and eighty cents, . . .	151 80
Northampton, twenty-seven hundred fifty-two dollars and twenty cents, . . .	2,752 20
Northborough, two hundred and sixty-four dollars, . . .	264 00
Northbridge, twelve hundred and twenty-one dollars, . . .	1,221 00
Northfield, two hundred seventeen dollars and eighty cents, . . .	217 80
Norton, two hundred seventy dollars and sixty cents, . . .	270 60
Norwell, one hundred seventy-eight dollars and twenty cents, . . .	178 20
Norwood, twenty-five hundred twenty-seven dollars and eighty cents, . . .	2,527 80

Oak Bluffs, two hundred seventy-seven dollars and twenty cents,	\$277 20	Special state tax for payment of gratuity to soldiers, sailors, etc., apportioned and assessed.
Oakham, fifty-nine dollars and forty cents,	59 40	
Orange, six hundred sixty-six dollars and sixty cents,	666 60	
Orleans, three hundred thirty-six dollars and sixty cents,	336 60	
Otis, fifty-two dollars and eighty cents,	52 80	
Oxford, three hundred forty-nine dollars and eighty cents,	349 80	
Palmer, eleven hundred and twenty-two dollars,	1,122 00	
Paxton, fifty-two dollars and eighty cents,	52 80	
Peabody, thirty-four hundred twelve dollars and twenty cents,	3,412 20	
Pelham, seventy-two dollars and sixty cents,	72 60	
Pembroke, one hundred ninety-one dollars and forty cents,	191 40	
Pepperell, three hundred and sixty-three dollars,	363 00	
Peru, thirty-three dollars,	33 00	
Petersham, one hundred thirty-eight dollars and sixty cents,	138 60	
Phillipston, forty-six dollars and twenty cents,	46 20	
Pittsfield, fifty-six hundred eighty-two dollars and sixty cents,	5,682 60	
Plainfield, thirty-three dollars,	33 00	
Plainville, one hundred fifty-one dollars and eighty cents,	151 80	
Plymouth, twenty-three hundred twenty-nine dollars and eighty cents,	2,329 80	
Plympton, sixty-six dollars,	66 00	
Prescott, thirty-three dollars,	33 00	
Princeton, one hundred forty-five dollars and twenty cents,	145 20	
Provincetown, four hundred forty-two dollars and twenty cents,	442 20	
Quincy, sixty-seven hundred eighteen dollars and eighty cents,	6,718 80	
Randolph, four hundred thirty-five dollars and sixty cents,	435 60	
Raynham, one hundred eighty-four dollars and eighty cents,	184 80	
Reading, eleven hundred eight dollars and eighty cents,	1,108 80	
Rehoboth, one hundred seventy-one dollars and sixty cents,	171 60	
Revere, thirty-three hundred nineteen dollars and eighty cents,	3,319 80	
Richmond, seventy-nine dollars and twenty cents,	79 20	
Rochester, one hundred forty-five dollars and twenty cents,	145 20	
Rockland, eight hundred eighty-four dollars and forty cents,	884 40	
Rockport, five hundred eighty dollars and eighty cents,	580 80	
Rowe, thirty-nine dollars and sixty cents,	39 60	
Rowley, one hundred fifty-one dollars and eighty cents,	151 80	
Royalston, one hundred eighteen dollars and eighty cents,	118 80	

Special state
tax for
payment of
gratuity to
soldiers,
sailors, etc.,
apportioned
and assessed.

Russell, two hundred ninety dollars and forty cents, . .	\$290 40
Rutland, one hundred forty-five dollars and twenty cents, . .	145 20
Salem, fifty-nine hundred fifty-three dollars and twenty cents, . .	5,953 20
Salisbury, two hundred fifty-seven dollars and forty cents, . .	257 40
Sandisfield, sixty-six dollars,	66 00
Sandwich, one hundred ninety-one dollars and forty cents, . .	191 40
Saugus, ten hundred seventy-five dollars and eighty cents, . .	1,075 80
Savoy, thirty-three dollars,	33 00
Seituate, seven hundred seventy-two dollars and twenty cents, . .	772 20
Seekonk, two hundred and ninety-seven dollars, . . .	297 00
Sharon, four hundred forty-eight dollars and eighty cents, . .	448 80
Sheffield, one hundred ninety-one dollars and forty cents, . .	191 40
Shelburne, two hundred fifty-seven dollars and forty cents, . .	257 40
Sherborn, two hundred and thirty-one dollars, . . .	231 00
Shirley, two hundred forty-four dollars and twenty cents, . .	244 20
Shrewsbury, four hundred eighty-one dollars and eighty cents, . .	481 80
Shutesbury, forty-six dollars and twenty cents, . . .	46 20
Somerset, three hundred sixteen dollars and eighty cents, . .	316 80
Somerville, eleven thousand five hundred sixty-nine dollars and eighty cents, . .	11,569 80
South Hadley, six hundred and ninety-three dollars, .	693 00
Southampton, eighty-five dollars and eighty cents, .	85 80
Southborough, three hundred thirty-six dollars and sixty cents, . .	336 60
Southbridge, thirteen hundred seventy-nine dollars and forty cents, . .	1,379 40
Southwick, one hundred forty-five dollars and twenty cents, . .	145 20
Spencer, six hundred seven dollars and twenty cents, .	607 20
Springfield, twenty-six thousand nine hundred eighty dollars and eighty cents, . .	26,980 80
Sterling, one hundred eighty-four dollars and eighty cents, . .	184 80
Stockbridge, five hundred fifty-four dollars and forty cents, . .	554 40
Stoneham, nine hundred four dollars and twenty cents, .	904 20
Stoughton, eight hundred eighteen dollars and forty cents, . .	818 40
Stow, one hundred fifty-eight dollars and forty cents, .	158 40
Sturbridge, one hundred forty-five dollars and twenty cents,	145 20

Sudbury, one hundred ninety-one dollars and forty cents, . . .	\$191 40	Special state tax for payment of gratuity to soldiers, sailors, etc., apportioned and assessed.
Sunderland, one hundred twelve dollars and twenty cents, . . .	112 20	
Sutton, two hundred thirty-seven dollars and sixty cents, . . .	237 60	
Swampscott, eighteen hundred one dollars and eighty cents, . . .	1,801 80	
Swansea, two hundred seventy dollars and sixty cents, . . .	270 60	
Taunton, forty-five hundred sixty-seven dollars and twenty cents, . . .	4,567 20	
Templeton, three hundred sixty-nine dollars and sixty cents, . . .	369 60	
Tewksbury, three hundred fifty-six dollars and forty cents, . . .	356 40	
Tisbury, two hundred and sixty-four dollars, . . .	264 00	
Tolland, thirty-nine dollars and sixty cents, . . .	39 60	
Topsfield, two hundred and ninety-seven dollars, . . .	297 00	
Townsend, one hundred ninety-one dollars and forty cents, . . .	191 40	
Truro, seventy-two dollars and sixty cents, . . .	72 60	
Tyngsborough, one hundred eighteen dollars and eighty cents, . . .	118 80	
Tyringham, forty-six dollars and twenty cents, . . .	46 20	
Upton, one hundred ninety-one dollars and forty cents, . . .	191 40	
Uxbridge, six hundred and sixty dollars, . . .	660 00	
Wakefield, eighteen hundred thirty-four dollars and eighty cents, . . .	1,834 80	
Wales, fifty-two dollars and eighty cents, . . .	52 80	
Walpole, eleven hundred twenty-eight dollars and sixty cents, . . .	1,128 60	
Waltham, forty-three hundred and fifty-six dollars, . . .	4,356 00	
Ware, nine hundred eighty-three dollars and forty cents, . . .	983 40	
Wareham, eight hundred eighty-four dollars and forty cents, . . .	884 40	
Warren, four hundred nine dollars and twenty cents, . . .	409 20	
Warwick, fifty-nine dollars and forty cents, . . .	59 40	
Washington, thirty-nine dollars and sixty cents, . . .	39 60	
Watertown, thirty-six hundred thirty-six dollars and sixty cents, . . .	3,636 60	
Wayland, three hundred and thirty dollars, . . .	330 00	
Webster, twelve hundred forty dollars and eighty cents, . . .	1,240 80	
Wellesley, nineteen hundred sixty dollars and twenty cents, . . .	1,960 20	
Wellfleet, one hundred twelve dollars and twenty cents, . . .	112 20	
Wendell, ninety-nine dollars, . . .	99 00	
Wenham, two hundred eighty-three dollars and eighty cents, . . .	283 80	
West Boylston, one hundred fifty-one dollars and eighty cents, . . .	151 80	
West Bridgewater, two hundred seventy dollars and sixty cents, . . .	270 60	

Special state
tax for
payment of
gratuity to
soldiers,
sailors, etc.,
apportioned
and assessed.

West Brookfield, one hundred fifty-one dollars and eighty cents,	\$151 80
West Newbury, one hundred forty-five dollars and twenty cents,	145 20
West Springfield, seventeen hundred and eighty-two dollars,	1,782 00
West Stockbridge, one hundred five dollars and sixty cents,	105 60
West Tisbury, seventy-nine dollars and twenty cents,	79 20
Westborough, four hundred sixty-eight dollars and sixty cents,	468 60
Westfield, nineteen hundred fifty-three dollars and sixty cents,	1,953 60
Westford, four hundred eighty-one dollars and eighty cents,	481 80
Westhampton, thirty-nine dollars and sixty cents,	39 60
Westminster, one hundred forty-five dollars and twenty cents,	145 20
Weston, six hundred fifty-three dollars and forty cents,	653 40
Westport, four hundred fifty-five dollars and forty cents,	455 40
Westwood, three hundred and thirty dollars,	330 00
Weymouth, eighteen hundred forty-one dollars and forty cents,	1,841 40
Whately, one hundred twelve dollars and twenty cents,	112 20
Whitman, eight hundred eighteen dollars and forty cents,	818 40
Wilbraham, three hundred sixteen dollars and eighty cents,	316 80
Williamsburg, one hundred seventy-eight dollars and twenty cents,	178 20
Williamstown, six hundred thirty-three dollars and sixty cents,	633 60
Wilmington, three hundred three dollars and sixty cents,	303 60
Winchendon, six hundred forty-six dollars and eighty cents,	646 80
Winchester, twenty-two hundred and eleven dollars,	2,211 00
Windsor, thirty-nine dollars and sixty cents,	39 60
Winthrop, twenty-one hundred fifty-one dollars and sixty cents,	2,151 60
Woburn, twenty-two hundred thirty-seven dollars and forty cents,	2,237 40
Worcester, twenty-nine thousand three hundred and four dollars,	29,304 00
Worthington, fifty-nine dollars and forty cents,	59 40
Wrentham, two hundred fifty dollars and eighty cents,	250 80
Yarmouth, two hundred and sixty-four dollars,	264 00
	<hr/>
	\$660,000 00

Treasurer
to issue
warrant to
cities and towns.

SECTION 2. The treasurer and receiver-general shall forthwith send his warrant, according to the provisions of section twenty of chapter fifty-nine of the General Laws, to

the selectmen or assessors of each city and town taxed as aforesaid, requiring them respectively to assess the sum so charged, and to add the amount of such tax to the amount of city, town and county taxes to be assessed by them respectively on each city and town.

SECTION 3. The treasurer and receiver-general in his warrant shall require the said selectmen or assessors to pay or issue severally their warrant or warrants requiring the treasurers of their several cities and towns to pay to the treasurer and receiver-general on or before November fifteenth in the current year, the sums set against said cities and towns in the schedule aforesaid; and the selectmen or assessors respectively, shall return a certificate of the names of the treasurers of their several cities and towns, with the sum which each may be required to collect, to the treasurer and receiver-general at some time before September first in the current year.

Payment of assessments.

SECTION 4. If the amount due from any city or town, as provided in this act, is not paid to the treasurer and receiver-general within the time specified, then the said treasurer and receiver-general shall notify the treasurer of such delinquent city or town, who shall pay into the treasury of the commonwealth, in addition to the tax, such further sum as would be equal to one per cent per month during the delinquency from and after November fifteenth in the current year; and if the same remains unpaid after December first in the current year, an information may be filed by the treasurer and receiver-general in the supreme judicial court, or before any justice thereof, against such delinquent city or town; and upon notice to such city or town, and a summary hearing thereon, a warrant of distress may issue against such city or town to enforce the payment of said taxes under such penalties as said court or the justice thereof before whom the hearing is had shall order. Nothing herein contained shall be construed to prevent the treasurer and receiver-general from deducting at any time the whole or any part of said tax with the interest accrued thereon which shall remain unpaid from any moneys which may be due from the commonwealth to such city or town.

Notice to treasurers of delinquent cities and towns.

Warrant of distress, when to issue.

Approved May 16, 1921.

Chap. 400 AN ACT ESTABLISHING A TOWN MANAGER FORM OF GOVERNMENT FOR THE TOWN OF STOUGHTON.

Be it enacted, etc., as follows:

Town of
Stoughton,
date of annual
town meeting
established,
adjournment,
etc.

SECTION 1. The annual town meeting of the town of Stoughton shall be held on the first Monday of February at half past seven o'clock in the evening. All matters to be considered at the annual town meeting, other than the election of town officers and the question of granting licenses for the sale of certain non-intoxicating beverages, shall be considered at such meeting. The annual town election for the purpose of electing, by official ballot, town officers and voting on the question of granting licenses for the sale of certain non-intoxicating beverages shall be held in the year nineteen hundred and twenty-two on the first Saturday in January and thereafter on the third Monday in February and such election and vote shall be considered part of the annual town meeting.

SELECTMEN, ELECTION, TERMS.

Selectmen,
election,
terms of office,
etc.

SECTION 2. At the first annual election following the acceptance of this act, the voters shall elect by official ballot five selectmen who shall hold office, two for the term of three years, two for the term of two years and one for the term of one year from the annual election at which they are elected. At each annual election thereafter there shall be elected in place of those selectmen whose terms are about to expire, an equal number of selectmen, each to serve for three years. The selectmen shall serve until their successors are elected and qualified, and shall receive no salary. If, unless as the result of a recall election, a vacancy or vacancies occur in the membership of the selectmen, the remaining members shall call a special town meeting to fill the vacancy or vacancies for the unexpired term or terms, except that if a vacancy or vacancies occur less than three months prior to the annual election, and not less than three selectmen remain in office, the vacancy or vacancies shall remain unfilled until such annual election. A vacancy resulting from a recall election shall be filled as hereinafter provided in this act.

Vacancies,
how filled.

Selectmen to
be lawful
successors of
certain town
officers, etc.

SECTION 3. Upon the election and qualification of the selectmen as provided in section two, all the powers, rights, duties and liabilities conferred or imposed by law, whether

now existing or hereafter enacted, upon the surveyors of highways, the water and sewer board, the water and sewer commissioners, park commissioners, overseers of the poor, board of health and the tree warden shall be transferred to and conferred and imposed upon the selectmen, and the offices of the surveyors of highways, water and sewer board, water and sewer commissioners, park commissioners, overseers of the poor, board of health, and the tree warden of the town shall be abolished whether established under general law or special act. Such transfer of rights, powers, duties and liabilities shall not affect any liability incurred, contract made, fine, special assessment, rate, penalty, forfeiture or tax imposed before such transfer, nor any suit or other proceeding then pending; and said selectmen shall in all respects and for all purposes whatsoever be the lawful successors of said surveyors of highways, water and sewer board, water and sewer commissioners, park commissioners, overseers of the poor, board of health, tree warden, and the preceding board of selectmen. The selectmen shall also appoint such officers, including fence viewers, field drivers, surveyors of wood and lumber, constables and such other officers as are necessary to perform the duties of offices hereby abolished.

Appointments
by selectmen.

SCHOOL COMMITTEE.

SECTION 4. At the annual town election next following the acceptance of this act by the town, the voters shall elect, by official ballot, five members of the school committee, two of whom shall be chosen for the term of three years, one for the term of two years and two for the term of one year; and annually thereafter they shall elect, for the term of three years, either one or two members according as the term of one or two members is about to expire. Upon the election and qualification of the members of the school committee, as provided in this section, the terms of office of members of the then existing committee shall cease and determine.

School
committee,
election, etc.

FINANCE COMMISSION.

SECTION 5. At the first annual town election following the acceptance of this act, the voters shall elect, by official ballot, five members of the finance commission, which shall also act as the planning board of the town and shall have all necessary powers therefor, one of whom shall be chosen for

Finance
commission,
election, etc.

the term of three years, two for the term of two years and two for the term of one year; and at each annual town election thereafter they shall elect, for the term of three years, either one or two finance commissioners according as the term of one or two of such commissioners is about to expire.

Vacancies, how filled.

A vacancy in said commission shall be filled in the manner provided in section eleven of chapter forty-one of the General Laws for filling vacancies in a board consisting of two or more members.

DUTIES OF THE FINANCE COMMISSION.

Duties of the finance commission.

SECTION 6. The finance commission shall annually, not later than one week prior to the time fixed for the annual town meeting, prepare and publish an estimate in writing of the probable amount required for the expenditures of the town for the next ensuing fiscal year, stating in detail the amounts of maturing bonds or notes, the amount required for interest or other outstanding indebtedness of the town and the amount necessary to be provided for each fund and department. It shall also, at the same time, prepare and publish as aforesaid an estimate in writing of the amount of income from all sources of revenue, and of the probable amount required to be levied and raised by taxation to defray all the expenses and liabilities of the town. It shall consider such articles in the warrant for any town meeting as contemplate, directly or indirectly, the appropriation or expenditure of money, shall, if it deems it expedient, give a public hearing thereon, and shall report its recommendations thereon in print, to said meeting. It shall make an annual report, which shall be published as a part of the annual town report, setting forth the matters considered by it during the fiscal year preceding that in which the report is published, and making such recommendations as appear to be necessary or appropriate respecting the finances of the town and the measures to be taken with reference thereto. Three members of said commission shall constitute a quorum for the transaction of business. The finance commission may have the accounts of all the departments including those of the treasurer and collector of taxes, audited annually or oftener by a competent accountant.

Annual report.

Town planning progress, etc.

The commission shall keep itself informed of the progress of town planning and make studies and recommendations for the improvement and development of the town with a

view to the present and future movement of traffic, the general convenience, amenity, health, recreation and welfare and any needs of the town.

ESTIMATES AND INFORMATION.

SECTION 7. All officers and boards of the town shall annually, not later than two months before the day fixed for the annual town meeting, submit to the finance commission in writing, a detailed estimate of appropriations required for the administration of their respective boards or offices during the next ensuing fiscal year, and shall at any time, upon request in writing of the finance commission, furnish to it all information in their possession relative to the administration of their respective boards or offices. The finance commission shall, at all reasonable times, upon the request of any of such officers or boards, advise with them, and furnish them with any information in its possession relative to the financial affairs of their respective boards or offices.

Estimates and information.

INVESTIGATIONS.

SECTION 8. For the purpose of enabling the finance commission to perform its duties, it may hold hearings and require the attendance of town officers and the production of town books, papers, contracts, documents and other evidence relating to any matter within the scope of the investigation.

Investigations.

EMPLOYMENT OF EXPERTS.

SECTION 9. The commission may employ such experts, counsel and other assistants, and incur such other expenses as it may deem necessary, and the same shall be paid by the town upon requisition by the commission, not exceeding the sum of five hundred dollars in any one year, unless a larger amount shall be appropriated for that purpose by the town.

Employment of experts.

APPOINTIVE TOWN OFFICERS, — TREASURER AND COLLECTOR.

SECTION 10. The selectmen of the town shall, within thirty days after each annual election appoint a treasurer and collector of taxes, who shall have all the powers, duties and liabilities of treasurer and collector of taxes in towns under general law. He shall be appointed for the term of one year from the first day of the calendar month following

Treasurer and collector, appointment, etc.

Office of town
treasurer and
collector of
taxes
terminated.

his appointment and shall serve until the appointment and qualification of his successor. The selectmen shall, within thirty days after a vacancy occurs in said office, fill the same by appointment for the residue of the term. Upon the appointment of the treasurer and collector of taxes under this section, the elective offices of town treasurer and collector of taxes in said town shall terminate.

ASSESSORS, APPOINTMENT, TERMS.

Assessors,
appointment,
terms of
office, etc.

SECTION 11. The selectmen first elected as provided in section two shall forthwith appoint three suitable persons as assessors, who shall hold no elective office in the town of Stoughton, and who, upon their appointment and qualification, shall organize for the proper conduct of their duties. One of said persons shall be appointed for a term of one year, one for a term of two years, and one for a term of three years; and annually thereafter there shall be appointed by the selectmen, an assessor for a term of three years, in the place of the assessor whose term is about to expire. The assessors shall serve until their successors are appointed and qualified. If for any reason a vacancy occurs in the membership of the assessors, the vacancy shall be filled forthwith by the selectmen, in like manner, for the unexpired term. Upon the appointment and qualification of the assessors, the existing elective offices of assessors of the town shall terminate. The assessors appointed hereunder shall have all the powers and rights, and be subject to all the duties and liabilities now or hereafter conferred or imposed by law upon assessors of towns. Before entering upon the duties of their office the assessors shall be sworn to the faithful performance thereof. The selectmen may also appoint and remove citizens of the town to act as assistant assessors who shall have all the powers conferred by general laws on assistant assessors in towns.

To be sworn.

Assistant
assessors,
appointment,
etc.

TOWN CLERK AND TOWN AUDITOR.

Town clerk,
appointment,
etc.

SECTION 12. The selectmen elected as provided in section two shall appoint a suitably qualified person to the office of town clerk. Upon the appointment and qualification of the town clerk, the elective office of town clerk shall cease and determine. The town clerk so appointed shall have all the powers and rights and be subject to all the duties and liabilities now or hereafter conferred or imposed by law upon

town clerks. The town clerk shall hold office during the pleasure of the selectmen, and shall be sworn to the faithful performance of his duties by the chairman of the selectmen or by a justice of the peace. In case of the death, resignation, or removal from office of the town clerk, the selectmen shall forthwith appoint a person to fill the vacancy. The town clerk shall, in addition to the duties, prescribed by general laws, act as clerk of the board of selectmen and the assessors and shall keep the records of the board of selectmen and perform such other duties as they may require. The town clerk shall also act as town auditor and shall have all the powers and duties of town auditors under general laws. Upon the appointment of the town clerk under this section the elective offices of town auditors in said town shall terminate.

Vacancy.

Town clerk to act as town auditor, etc.

LIBRARY TRUSTEES.

SECTION 13. The selectmen elected as provided in section two, shall, within thirty days after the annual town election subsequent to the acceptance of this act, appoint six library trustees, two of whom shall be appointed for the term of one year, two for the term of two years and two for the term of three years from the first day of the calendar month following such appointment; and annually thereafter, within thirty days after the annual town election, the selectmen shall appoint library trustees to succeed those whose terms are about to expire, for the term of three years from the first day of the calendar month following such appointment. A vacancy in the board of library trustees shall be filled by appointment for the residue of the term. Upon the appointment of the trustees under this section the elective offices of library trustees in said town shall terminate.

Library trustees, appointment, etc.

Vacancies.

TOWN MANAGER.

SECTION 14. The selectmen elected as provided in section two, shall, as soon as practicable, appoint an agent who shall be known as town manager, who shall, except as is otherwise herein expressly provided, be the administrative head of all departments of the town, the conduct of which is by the general laws or by this act placed upon the selectmen. He shall be subject to the direction and supervision, and shall hold office at the will of the selectmen, and shall be a person specially fitted by education, training and experience to perform the duties of said office. He shall be chosen irrespective

Town manager, appointment, etc.

To be sworn.

of his political opinions and may or may not be when appointed a resident of the town. During the time that he holds such appointment he shall hold no other elective or appointive office, nor shall he be engaged in any other business or occupation. He shall be responsible for the efficient administration of all departments within the scope of his duties. Before entering upon the duties of his office he shall be sworn to the faithful and impartial performance thereof by the chairman of the selectmen, by the town clerk, or by a justice of the peace.

POWERS AND DUTIES OF THE TOWN MANAGER.

Town
manager,
powers,
duties, etc.

SECTION 15. The powers and duties of the town manager shall include the following: —

(a) To organize, continue or discontinue such divisions or departments as the selectmen may from time to time determine.

(b) To appoint, upon merit and fitness alone, and except as herein otherwise provided, to remove, subject to the approval of the selectmen, all subordinate officers and employees under his control and to fix their compensation.

(c) To attend such regular or special meetings of the selectmen as they may require.

(d) To keep full and complete records of the doings of his office, and to render as often as may be required by the selectmen a full report thereof; and annually or oftener if required by the selectmen, to make a synopsis of all reports for publication.

(e) To keep the selectmen fully advised as to the needs of the town within the scope of his duties, and to furnish them and the finance commission on or before the thirty-first day of December of each year a careful, detailed estimate in writing of the appropriations required during the ensuing fiscal year for the proper conduct of all departments of the town under his control.

(f) To keep in repair the town library and all other town buildings, except school buildings, which he shall repair only upon request in writing of the school committee.

(g) To purchase all supplies for every department of the town, except books for the schools or the public library; but purchases of supplies for departments over which he has no control shall be made only upon requisition therefor by them or their authorized representative.

(h) To perform such other duties, consistent with his office, as may be required of him by the by-laws of the town or by vote of the selectmen. Town manager, powers, duties, etc.

(i) To have the control and supervision of the department of police of the town, subject, however, to the direction of the selectmen.

(j) To have the control and supervision of the fire department of the town, subject, however, to the direction of the selectmen.

(k) To examine or cause to be examined, with or without notice, the affairs of any division or department under his control, or the conduct of any officer or employee thereof, and, for that purpose, he shall have access to all town books and papers, for the information necessary for the proper performance of his duties.

(l) To administer the poor relief of the town either directly or through a person or persons appointed by him, and under the supervision of the selectmen as overseers of the poor.

(m) To administer the health regulations of the town as established by by-laws, or made by the selectmen, in addition to those established by law, either directly or through a person appointed by him, to be designated as the health officer and to exercise, under the supervision of the selectmen, the powers of a board of health.

GENERAL PROVISIONS RELATIVE TO TOWN OFFICERS.

SECTION 16. A member of the board of selectmen, of the school committee or of the finance commission shall, while holding such office, be ineligible, either by election or appointment, to any other town office. The acceptance of the office of selectman, school committee or finance commissioner by a person holding any appointive town office, shall operate as a resignation of such office. Any person, except the town manager, who may be appointed by the selectmen to any town office under the provisions of the general laws or of this act, shall be eligible during the term of said office to appointment to any other town office. Town officers, general provisions relating to.

RESIGNATION OF TOWN OFFICERS.

SECTION 17. Any person holding an appointive office may resign his office by filing a resignation thereof in the office of the town clerk, and such resignation shall be effective Town officers, resignations, etc.

forthwith, unless a time certain is specified therein when it shall take effect. The selectmen may, however, under the provisions of the following section, remove an appointive town officer whose resignation is made to take effect in the future if they see fit so to do.

Selectmen may remove certain town officers.

SECTION 18. The selectmen may remove from office any town officer whose appointment by them is specifically authorized by this act. The reason for such removal shall be set forth in detail in the records of the selectmen, and shall be forthwith communicated in writing to the officer so removed.

SALARIES AND COMPENSATION.

Salaries and compensation, etc., of certain town officers.

SECTION 19. The town clerk, treasurer and collector, assessors and town manager shall receive such compensation for their services as the selectmen shall determine, but not exceeding the amounts appropriated therefor by the town. Members of the finance commission, school committee and library trustees shall receive no salary or compensation.

HOLDERS OF AN ELECTIVE OFFICE MAY BE RECALLED, ETC.

Recall of holder of an elective office.

SECTION 20. Any holder of an elective office may be recalled, and removed therefrom by the qualified voters of the town as herein provided.

RECALL, PETITION, PREPARATION, FILING.

Recall petition, preparation, filing, etc.

SECTION 21. Any qualified voter of the town may file with the town clerk an affidavit containing the name of the officer sought to be recalled and a statement of the grounds of recall. The town clerk shall thereupon deliver to the voter making such affidavit a sufficient number of copies of petition blanks demanding such recall, printed forms of which he shall keep on hand. The blanks shall be issued by the town clerk with his signature and official seal attached thereto; they shall be dated and addressed to the selectmen, shall contain the name of the person to whom issued, the number of blanks so issued, the name of the person sought to be recalled, the grounds of recall as stated in said affidavit, and shall demand the election of a successor to such office. A copy of the petition shall be entered in a record book to be kept in the office of the town clerk. The recall petition shall be returned and filed with the town clerk within twenty days after the filing of the affidavit. Said petition before

being returned and filed shall be signed by two hundred qualified voters, and to every signature shall be added the place of residence of the signer, giving the street and number. The recall petition shall be submitted, at or before five o'clock in the afternoon of the Saturday preceding the day on which it must be filed, to the registrars of voters in the town, and the registrars shall forthwith certify thereon the number of signatures which are names of voters of the town.

SECTION 22. If the petition shall be found and certified by the town clerk to be sufficient, he shall submit the same with his certificate to the selectmen without delay and the selectmen shall forthwith give written notice to said officer of the receipt of said certificate and shall, if the officer sought to be removed does not resign within five days thereafter, thereupon order an election to be held on a Tuesday fixed by them not less than twenty-five days after the date of the town clerk's certificate that a sufficient petition is filed; provided, however, that if any other town election is to occur within sixty days after the date of said certificate, the selectmen may, in their discretion, postpone the holding of the recall election to the date of such other election. If a vacancy occurs in said office after a recall election has been so ordered, the election shall nevertheless proceed as in this section provided.

Removal and election.

Proviso.

SECTION 23. Any officer sought to be recalled may be a candidate to succeed himself, and, unless he requests otherwise in writing, the town clerk shall place his name on the official ballot without nomination. The nomination of other candidates, the publication of the warrant for the recall election, and the conduct of the same, shall all be in accordance with the provisions of law relating to elections, unless otherwise provided in this act.

Officer sought to be recalled may be candidate, etc.

SECTION 24. The incumbent shall continue to perform the duties of his office until the recall election. If then re-elected, he shall continue in office for the remainder of his unexpired term, subject to recall as before, except as provided in section twenty-six. If not re-elected in the recall election, he shall be deemed removed upon the qualification of his successor, who shall hold office during the unexpired term. If the successor fails to qualify within five days after receiving notification of his election, the incumbent shall thereupon be deemed removed and the office vacant.

Incumbent to continue in office, when, etc.

Office, when vacant.

SECTION 25. Ballots used in a recall election shall submit the following propositions in the order indicated:

Order of propositions on ballot at recall election.

For the recall of (name of officer).

Against the recall of (name of officer).

Immediately at the right of each proposition there shall be a square in which the voter by making a cross mark (X) may vote for either of such propositions. Under the proposition shall appear the word "Candidates" and the direction "Vote for one" and beneath this the names of candidates nominated as hereinbefore provided.

Time of filing
recall petition.

SECTION 26. No recall petition shall be filed against an officer within three months after he takes office, nor in the case of an officer subjected to a recall election and not removed thereby, until at least three months after that election.

Person recalled
not to be
appointed to
any town office
within two
years.

SECTION 27. No person who has been recalled from an office, or who has resigned from office while recall proceedings were pending against him, shall be appointed to any town office within two years after such removal by recall or resignation.

Act to be
submitted to
voters at
special meeting,
etc.

SECTION 28. This act shall be submitted to the qualified voters of the town of Stoughton at a special meeting to be called by the selectmen. The vote shall be taken by official ballot in answer to the following questions: "Shall an act passed by the general court in the year nineteen hundred and twenty-one, entitled 'An Act establishing a town manager form of government for the town of Stoughton', be accepted?" which shall be printed on the official ballot. If the act is accepted by a majority of the qualified voters voting thereon, it shall take effect forthwith for the purpose of the next annual town meeting and election, and for all things pertaining thereto and shall take full effect upon the election and qualification of the selectmen as provided in section two.

Revocation of
acceptance,
etc.

SECTION 29. At any time except as herein provided after the expiration of six years from the date on which this act is accepted, and not less than ninety days before the date of an annual town election, a petition, signed by not less than fifteen per cent of the registered voters of the town may be filed with the selectmen, requesting that the question of revoking the acceptance of this act be submitted to the voters. Thereupon the selectmen shall cause to be printed on the official ballot, used for the election of town officers, the following question: — "Shall the acceptance by the town of Stoughton of an act passed by the general court in the year nineteen hundred and twenty-one, entitled 'An Act estab-

lishing a town manager form of government for the town of Stoughton', be revoked?" If such revocation is favored by a majority of the voters voting thereon by ballot, the acceptance of this act shall stand revoked from and after the date of the annual town meeting next following such vote. The revocation shall not affect any contract then existing or any action at law or suit in equity or other proceeding then pending. If such acceptance shall be revoked, as aforesaid, this act shall become null and void and thereafter all general laws respecting town government and town officers shall apply to the town of Stoughton to the same extent as if this act had not been accepted, and any special laws relative to said town which are repealed, suspended or superseded by this act or its acceptance, shall be revived by or upon such revocation. By-laws in force when the revocation takes effect, so far as they are consistent with general laws respecting town government and town officers and with the said special laws, shall not be affected thereby. A vote to revoke the acceptance of this act shall not be taken oftener than once in every three years.

When act becomes void, etc.

SECTION 30. For the purpose of its submission to the voters of the town, as aforesaid, this act shall take effect upon its passage.

Act takes effect for submission to voters.

Approved May 16, 1921.

AN ACT AUTHORIZING AGREEMENTS FOR THE APPORTIONMENT OF THE EXPENSE OF THE LAYING OUT, ALTERATION, RELOCATION OR SPECIFIC REPAIR OF HIGHWAYS.

Chap. 401

Be it enacted, etc., as follows:

Section eight of chapter eighty-two of the General Laws is hereby amended by inserting after the word "made", in the seventh line, the following: — They may apportion the expense thereof upon the county and towns, respectively, or they may agree with the towns in which the highway is located or with the division of highways of the department of public works, or both, as to the apportionment of such expense to be paid by the towns, county or state, respectively, — so as to read as follows: — *Section 8.* The commissioners, in their return, shall determine and specify the manner in which a new highway shall be laid out or an existing one altered, relocated or specifically repaired, and shall specify in sufficient detail the work required so that the same may be completed in accordance with the commissioners' directions, and the time within which it shall be

G. L. 82, § 8, amended.

Performance of work of construction of highways, etc.

Apportionment
of expense.

Notice to
commissioners
when work is
begun, etc.

completed, and each town shall perform the work so required within its limits unless other provision is made. They may apportion the expense thereof upon the county and towns, respectively, or they may agree with the towns in which the highway is located or with the division of highways of the department of public works, or both, as to the apportionment of such expense to be paid by the towns, county or state, respectively. The selectmen or mayor shall give notice to said commissioners of the time when the work ordered is begun, and the commissioners or their agents shall examine the work as often as may be necessary during its progress to ascertain that it is well done according to the direction of the commissioners, and, in case the town does not perform the work to the acceptance of said commissioners, the provisions of sections fourteen and fifteen shall apply. The commissioners shall transmit to the clerk of each town in which the highway lies a description and plan of the location and bounds thereof within the limits of such towns respectively, which description shall be recorded within ten days by the clerk in a book kept for that purpose.

Approved May 16, 1921.

Chap. 402 AN ACT ENLARGING THE SCOPE OF THE LAW RELATIVE TO
RETIRING AND PENSIONING PRISON OFFICERS.

Be it enacted, etc., as follows:

G. L. 32, § 46,
amended.

Pensions for
prison
officers, etc.

Section forty-six of chapter thirty-two of the General Laws is hereby amended by adding at the end thereof the following:—The word “officer”, as used in this and the two following sections, shall extend to and include prison officer, watchman and matron, — so as to read as follows:—*Section 46.* The commissioner of correction may, with the approval of the governor and council, retire from active service and place upon a pension roll any officer of the state prison, the Massachusetts reformatory, the prison camp and hospital, the state farm, the reformatory for women or any jail or house of correction, or any person employed to instruct the prisoners in any prison or reformatory, as provided in section fifty-two of chapter one hundred and twenty-seven, or any other employee of the state prison, the Massachusetts reformatory or the prison camp and hospital, who has attained the age of sixty-five and who has been employed in prison service in the commonwealth, with a good record, for not less than twenty years; or who, without fault of his

own, has become permanently disabled by injuries sustained in the performance of his duty; or who has performed faithful prison service for not less than thirty years; provided, that no officer of any jail or house of correction shall so be retired except upon the recommendation of the sheriff and county commissioners of the county, except in the county of Suffolk, where the recommendation as to the officers of the jail shall be made by the sheriff and the mayor of Boston, and, as to the officers of the house of correction, by the penal institutions commissioner and the mayor of Boston; and provided, that no such officer, instructor or employee shall be retired unless he began employment as such in one of the above named institutions, or as an officer or instructor in one of those named in the following section, on or before June seventh, nineteen hundred and eleven. The word "officer", as used in this and the two following sections, shall extend to and include prison officer, watchman and matron.

Provisos.

Definition.

Approved May 16, 1921.

AN ACT PROVIDING FOR SPECIAL LICENSES FOR OPERATORS *Chap. 403*
OF MOTOR-PROPELLED FIRE APPARATUS.

Be it enacted, etc., as follows:

SECTION 1. Section eight of chapter ninety of the General Laws is hereby amended by inserting after the word "age", in the nineteenth line, the words: — Special licenses shall also be issued to operators of motor-propelled fire apparatus who are members of a municipal fire department, — so as to read as follows: — *Section 8.* Application for license to operate motor vehicles may be made by any person; but before such a license is granted the applicant shall pass such examination as to his qualifications as the registrar shall require, and no license shall be issued until the registrar or his authorized agent is satisfied that the applicant is a proper person to receive it, and no such license shall be issued to any person under sixteen years of age. To each licensee shall be assigned some distinguishing number or mark, and the licenses issued shall be in such form as the registrar shall determine. They may contain special restrictions and limitations concerning the type of motor, horse power, design and other features of the motor vehicles which the licensee may operate. They shall contain the distinguishing number or mark assigned to the licensee, his name, place of residence and address, a brief description of him for pur-

G. L. 90, § 8,
amended.

Motor vehicles,
license to
operate.

Special licenses
to chauffeurs
and operators
of motor-
propelled fire
apparatus.

poses of identification, and such other information as the registrar shall deem necessary. A person to whom a license to operate motor vehicles has been issued, unless such license contains a special limitation or restriction, may operate any registered motor vehicle. Special licenses shall be issued to chauffeurs, but no such license shall be issued to any person less than eighteen years of age. Special licenses shall also be issued to operators of motor-propelled fire apparatus who are members of a municipal fire department. Every person licensed to operate motor vehicles as aforesaid shall endorse his usual signature on the margin of the license, in the space provided for the purpose, immediately upon the receipt of said license, and such license shall not be valid until so endorsed. All licenses issued to operators and chauffeurs shall be valid for one year only from the date of issue.

G. L. 90, § 33,
amended.

SECTION 2. Section thirty-three of said chapter ninety is hereby amended by inserting after the word "dollars", in the fiftieth line, the words: — , but no fee shall be collected for the renewal of a special license to operate motor-propelled fire apparatus, — so that the paragraph contained in lines forty-nine and fifty will read as follows: — For every renewal of any operator's or chauffeur's license to operate motor vehicles, two dollars, but no fee shall be collected for the renewal of a special license to operate motor-propelled fire apparatus.

Renewal fees,
etc.

Approved May 16, 1921.

Chap. 404 AN ACT RELATIVE TO CHARGES BY GAS AND ELECTRIC COMPANIES FOR THE USE OF METERS.

Be it enacted, etc., as follows:

G. L. 164, § 119,
amended.

Section one hundred and nineteen of chapter one hundred and sixty-four of the General Laws is hereby amended by inserting at the beginning thereof the following: — Unless approval therefor is secured from the department, — so as to read as follows: — *Section 119.* Unless approval therefor is secured from the department, no charge shall be made by a corporation furnishing electricity for lighting purposes or gas for the use of a meter during any portion of twelve consecutive months, if the consumer during that time uses electricity to the value of nine dollars, or gas to the value of seven dollars, and whoever makes a charge therefor contrary to this section shall be punished by a fine not exceeding one hundred dollars.

Gas and
electric meter
rental
regulated.

Penalty.

Approved May 16, 1921.

AN ACT ESTABLISHING A SCHOOLHOUSE BUILDING COMMISSION FOR THE CITY OF MEDFORD. *Chap. 405*

Be it enacted, etc., as follows:

SECTION 1. There is hereby established in the city of Medford an unpaid schoolhouse building commission to consist of the building commissioner and the mayor, ex officiis and five citizens, qualified voters of the city, who shall be elected by a two thirds vote of the entire membership of the board of aldermen at a meeting to be called for the purpose by the president of said board or at a meeting called by a majority of the entire membership thereof. Three members of said commission shall be elected to serve for terms of three years and two for terms of two years from the date of their election, and thereafter as the term of any member expires his successor shall be elected for the term of three years. The building commissioner and the mayor shall not have the right to vote in said commission. Its members shall have no financial interest, directly or indirectly, in the construction or alteration of any school building or in any contract relating thereto. Any member of the said commission may be removed at any time by a two thirds vote of the entire membership of the board of aldermen at a meeting called for the purpose by the president of said board or at a meeting called by a majority of the entire membership thereof. Vacancies in the commission shall be filled within thirty days after their occurrence in the manner provided for an original election.

Medford
schoolhouse
building
commission
established.

Removals and
vacancies.

SECTION 2. The commission is hereby authorized in the name and behalf of the city to select and purchase or take by eminent domain under chapter seventy-nine of the General Laws land for school purposes, to determine and approve the plans of all school buildings hereafter to be erected, to order, plan and supervise the erection of all school buildings and all additions to and alterations in school buildings, and shall have exclusive authority to execute all contracts pertaining to the same.

May select
land and
approve plans
for school
buildings, etc.

SECTION 3. The commission shall cause no liability to be incurred and no expenditure to be made for any purpose beyond the specific appropriation which may be made therefor by the board of aldermen.

Appropriation
not to be
exceeded.

SECTION 4. The commission shall, whenever so requested by the board of aldermen, make a report in writing of the

Commission
to report in
writing, etc.

condition and progress of the work under its charge, and shall furnish a detailed statement of receipts and expenditures in relation thereto.

Commission,
organization,
etc.

SECTION 5. The commission shall choose a chairman and a secretary, shall keep a record of its proceedings and may act at any meeting, seven days' notice of which has been received by all members, or at a meeting where all members are present. The affirmative vote of three members of the commission shall be required for the validity of any action taken by it. Meetings may be called by the chairman or by a majority of the members.

Repeals.

SECTION 6. All special acts and parts thereof relating to the city of Medford inconsistent herewith are hereby repealed.

To be sub-
mitted to
voters, etc.

SECTION 7. This act shall be submitted to the voters of said city for their acceptance at the regular city election in the current year in the form of the following question to be placed upon the official ballot: "Shall an act passed by the general court in the year nineteen hundred and twenty-one entitled 'An Act establishing a schoolhouse building commission for the city of Medford' be accepted?" If a majority of the voters voting thereon vote in the affirmative, this act shall take effect, but not otherwise.

Approved May 16, 1921.

Chap. 406 AN ACT TO RELIEVE STREET RAILWAY AND ELECTRIC RAILROAD COMPANIES FROM THE COMMUTATION OR EXCISE TAX.

Be it enacted, etc., as follows:

Street railway
and electric
railroad com-
panies relieved
from excise tax
during certain
years, etc.

SECTION 1. No commutation or excise tax, so-called, shall be imposed or assessed upon or collected from any street railway or electric railroad company under the provisions of sections sixty-two and sixty-five of chapter sixty-three of the General Laws during the years nineteen hundred and twenty-two and nineteen hundred and twenty-three. Nothing herein contained shall be construed to relieve any such street railway or electric railroad company from filing the annual returns required by section sixty-one of said chapter sixty-three.

Act not to
affect certain
taxes imposed.

SECTION 2. This act shall not affect the validity of any tax assessed or imposed on account of the year nineteen hundred and nineteen or previous years.

Approved May 16, 1921.

AN ACT RELATIVE TO THE CONSTRUCTION OF STUART STREET AND THE WIDENING OF ELIOT STREET IN THE CITY OF BOSTON. Chap. 407

Be it enacted, etc., as follows:

SECTION 1. Sections one and two of chapter three hundred and twelve of the acts of nineteen hundred and twenty, as consolidated, amended and renumbered section one by chapter four hundred and sixty-five of the acts of said year, are hereby further amended by striking out said section one as consolidated, amended and renumbered and inserting in place thereof the following: — *Section 1.* The board of street commissioners of the city of Boston may, with the approval of the mayor, lay out, widen, extend and order constructed a highway, not exceeding eighty feet in width, from a point at or near the junction of Eliot street and Warrenton street, southwestwardly across Columbus avenue to the junction of Arlington street and Stuart street; may, with the approval of the mayor, lay out, widen, relocate and order constructed Stuart street, from Arlington street to Dartmouth street, to a width not exceeding eighty feet; may, with the approval of the mayor, lay out, widen, extend and order constructed a highway, not exceeding eighty feet in width, from Dartmouth street, opposite Stuart street, westwardly to a point at or near the junction of Irvington street and Huntington avenue, so that Stuart street thus extended and reconstructed will form a continuous highway from Eliot street to Huntington avenue; may, with the approval of the mayor, lay out, widen, relocate and order constructed Eliot street, on the southerly side, between Tremont street and Broadway, to a width not exceeding eighty feet; and may, with the approval of the mayor, lay out, widen, relocate and order constructed Eliot street on the southerly side, between Washington street and Tremont street, to a width not exceeding eighty feet. If the orders for said different lay-outs, widenings, relocations and construction of the same are made simultaneously, the whole improvement shall be considered as one act in the awarding of damages and in the assessment of betterments. The said laying out, widening, extension, relocation and construction, and the assessment of betterments therefor, shall be made in accordance with the provisions of chapter three hundred and ninety-three of the acts of nine-

1920, 312, §§ 1 and 2, etc., amended.

City of Boston may widen, extend, etc., Stuart street and widen Eliot street.

Whole improvement to be considered one act, etc.

teen hundred and six, as amended by chapter five hundred and thirty-six of the acts of nineteen hundred and thirteen, and acts in amendment thereof or in addition thereto or in substitution therefor.

1920, 312, § 3,
etc., amended.

May issue
bonds, etc.

Stuart Street
Bonds, Act of
1920.

Payment
of loan.

May make a
temporary
loan, etc.

SECTION 2. Section three of said chapter three hundred and twelve, as amended and renumbered section two by said chapter four hundred and sixty-five, is hereby further amended by striking out, in the fourth line of said section three as amended and renumbered section two, the words "two million five hundred" and inserting in place thereof the words: — three million one hundred, — so as to read as follows: — *Section 2.* The treasurer of the city of Boston without other authority than that contained in this act shall, from time to time, on request of the mayor, issue and sell at public or private sale the bonds of the city to an amount not exceeding three million one hundred thousand dollars, which shall be outside the statutory limit of indebtedness. Each issue of bonds shall constitute a separate loan. The bonds shall be designated on their face, Stuart Street Bonds, Act of 1920, shall be in such form of coupon bonds, or registered bonds without coupons, or coupon bonds exchangeable for registered bonds, as the treasurer of the city shall determine; shall be for such terms not exceeding twenty years from the dates of issue as the mayor and treasurer of the city shall determine; shall bear interest in accordance with the provisions of chapter fifty-two of the Special Acts of nineteen hundred and eighteen; and shall be payable by such annual payments as will extinguish the same at maturity and so that the first of the said annual payments on account of any loan shall be made not later than one year after the date of the bonds issued therefor, and that the amount of the said payments in any year on account of such loan shall not be less than the amount of principal of the loan payable in any subsequent year. The said annual amounts together with the interest on the loan, shall, without further action, be assessed until the debt is extinguished. The treasurer of the city of Boston shall hold the proceeds of said bonds in the treasury of the city, and pay therefrom the costs and expenses incurred under the provisions of this act. Any premiums received from the sale of the said bonds, less the cost of preparing, issuing and selling the same, shall be applied to the payment of the principal of the first bond or bonds to mature. The city treasurer may, with the approval of the mayor, make a temporary loan for a period of

not more than one year in anticipation of the money to be derived from the sale of any issue of the said bonds, and may issue notes therefor, and such notes may be refunded by the issue of new notes maturing within the said year; but the period of the permanent loan herein authorized shall not be extended by reason of the temporary loan.

SECTION 3. This act shall take effect upon its passage.

Approved May 17, 1921.

AN ACT PROVIDING FOR ADDITIONAL ACCOMMODATIONS FOR THE REGISTRY OF DEEDS, REGISTRY OF PROBATE AND PROBATE COURT OF THE COUNTY OF BARNSTABLE.

Chap. 408

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the county of Barnstable may erect an addition to the court house of said county in the town of Barnstable in order to provide suitable accommodations for the registry of deeds, registry of probate and probate court of said county or for other county purposes, and may provide necessary additional equipment therefor or, if in their opinion the public necessity and convenience will be better served thereby, they may erect in said town a suitable fireproof building separate from the present courthouse for said purposes and may equip said building with suitable furnishings and fixtures. In case said county commissioners determine to erect a new building as herein provided they may purchase such land as may be necessary for said building and grounds adjacent thereto or may take the same in fee on behalf of the county by eminent domain under chapter seventy-nine of the General Laws. Said commissioners may expend for the purposes of this act a sum not exceeding two hundred thousand dollars.

Additional accommodations for Barnstable registry of deeds, registry of probate and probate court, etc.

SECTION 2. Said commissioners may employ such technical or professional assistance as is necessary to carry out the provisions of this act. They shall obtain the necessary labor and materials for carrying out said provisions by contracts with such persons as they may select. All such contracts shall be in writing, signed by a majority of the commissioners, and recorded in their records, and every person or corporation entering into such a contract with the commissioners shall give them a suitable bond or shall deposit with them security for the faithful performance of the contract satisfactory to them. No such contract shall be altered

Expenditure.

Commissioners' powers, etc.

or added to, except by written agreement, signed by a majority of the commissioners and by the contractor and the sureties on his bond. No contract made in violation of the provisions of this section shall be valid against said county, and no payment on such contract shall be made by the treasurer of said county. If any proposed contract involves the payment of more than eight hundred dollars, it shall not be made until notice for proposals therefor has been posted in a conspicuous place in the courthouse of said county for at least one week and has been advertised at least three times in a newspaper published in said county and in a newspaper published in the city of Boston. The commissioners shall in every case make and file with the treasurer of said county a certificate under oath of such publication and posting. All proposals shall be opened publicly in the presence of a majority of the commissioners, and recorded in their records.

Notice for proposals to be advertised, etc.

May issue bonds, etc.

Barnstable County Registry Building Loan, Act of 1921.

SECTION 3. For the purpose of carrying out the provisions of this act said commissioners may borrow from time to time on behalf of said county such sums as may be necessary, not exceeding, in the aggregate, two hundred thousand dollars, and may issue bonds or notes of said county therefor. Each authorized issue of bonds or notes shall constitute a separate loan. Said bonds or notes shall bear on their face the words, Barnstable County Registry Building Loan, Act of 1921, shall be signed by the treasurer of said county and countersigned by a majority of said commissioners and shall be payable by such annual payments, beginning not more than one year after the date thereof, as will extinguish the loan within twenty years from its date; and the amount of such annual payment of the principal of any loan in any year shall not be less than the amount of the principal of the loan payable in any subsequent year. Said commissioners may sell said bonds or notes at public or private sale, upon such terms and conditions as they may deem proper, but not for less than their par value, and the proceeds shall be used only for the purposes specified herein.

Time limit to construct, etc.

Validity of payments, etc.

SECTION 4. The authority granted by this act shall cease and determine unless the work of constructing said addition or said building is actually begun within three years from the enactment hereof; but this provision shall not affect the validity of any payments made or obligations incurred prior to the expiration of said period.

SECTION 5. This act shall take effect upon its acceptance by the county commissioners of the county of Barnstable; provided that such acceptance occurs prior to December thirty-first in the current year. *Approved May 19, 1921.*

To be submitted to Barnstable county commissioners, etc.
Proviso.

AN ACT RELATIVE TO THE EXAMINATION OF APPLICANTS FOR REGISTRATION AS PHYSICIANS. *Chap.409*

Be it enacted, etc., as follows:

SECTION 1. Section three of chapter one hundred and twelve of the General Laws is hereby amended by inserting before the word "practice", in the fourth line, the word: — psychiatry, — so as to read as follows: — *Section 3.* Examinations shall be in whole or in part in writing, in English, shall be of a scientific and practical character, shall include the subjects of anatomy, surgery, physiology, pathology, obstetrics, gynecology, psychiatry, practice of medicine and hygiene, and shall be sufficiently thorough to test the applicants' fitness to practice medicine.

G. L. 112, § 3, amended.

Registration as physicians, examinations.

SECTION 2. This act shall take effect July first, nineteen hundred and twenty-three. *Approved May 19, 1921.*

Time of taking effect.

AN ACT RELATIVE TO THE PARTICIPATION OF MINORS IN CERTAIN STREET TRADES. *Chap.410*

Be it enacted, etc., as follows:

SECTION 1. Section sixty-nine of chapter one hundred and forty-nine of the General Laws is hereby amended by adding at the end thereof the following: — A boy over twelve may engage or be employed in any city or town in the sale or delivery of newspapers, magazines or other periodicals in a street or on a newspaper route; provided that no minor under fourteen may so engage or be employed during the hours that the public schools of the city or town in which such minor resides are in session nor before six o'clock in the morning nor after eight o'clock in the evening, nor unless such minor has secured a badge from the officer authorized to issue employment certificates in the city or town where he resides to which badge sections seventy-one and seventy-two shall apply, — so as to read as follows: — *Section 69.* No boy under twelve and no girl under eighteen shall, in any city of over fifty thousand inhabitants, sell, expose or offer for sale any newspapers, magazines, periodicals or any

G. L. 149, § 69, amended.

Street trades for children in certain cities regulated.

other articles of merchandise of any description, or exercise the trade of bootblack or scavenger, or any other trade, in any street or public place.

Street trades
for boys over
twelve
permitted.

Proviso.

A boy over twelve may engage or be employed in any city or town in the sale or delivery of newspapers, magazines or other periodicals in a street or on a newspaper route; provided that no minor under fourteen may so engage or be employed during the hours that the public schools of the city or town in which such minor resides are in session nor before six o'clock in the morning nor after eight o'clock in the evening, nor unless such minor has secured a badge from the officer authorized to issue employment certificates in the city or town where he resides to which badge sections seventy-one and seventy-two shall apply.

G. L. 149, § 60,
amended.

Employment
of children
under fourteen,
etc.

SECTION 2. Section sixty of said chapter one hundred and forty-nine is hereby amended by inserting before the word "No", in the first line, the words: — Except as provided in section sixty-nine, — and also by inserting after the word "nor", in the tenth line, the words: — , except as provided in section sixty-nine, — so as to read as follows: — *Section 60.* Except as provided in section sixty-nine, no person shall employ a minor under fourteen or permit him to work in or about or in connection with any factory, work shop, manufacturing, mechanical or mercantile establishment, barber shop, bootblack stand or establishment, public stable, garage, brick or lumber yard, telephone exchange, telegraph or messenger office, or in the construction or repair of buildings, or in any contract or wage earning industry carried on in tenement or other houses. No such minor shall be employed at work performed for wage or other compensation, to whomsoever payable, during the hours when the public schools are in session, nor, except as provided in section sixty-nine, shall he be employed at work before half past six o'clock in the morning or after six o'clock in the evening.

No interference
with school
attendance, etc.

G. L. 149, § 65,
etc., amended.

Hours of labor
of children
under sixteen,
etc.

SECTION 3. Said chapter one hundred and forty-nine, as amended in section sixty-five by section one of chapter three hundred and fifty-one of the acts of the current year, is hereby further amended by striking out said section sixty-five and inserting in place thereof the following: — *Section 65.* No person shall employ a minor under sixteen or permit him to work in, about or in connection with any establishment or occupation named in section sixty, or for which an employment certificate is required, for more than six days in any one week, or more than forty-eight hours in any one

week, or more than eight hours in any one day, or, except as provided in section sixty-nine, before half past six o'clock in the morning, or after six o'clock in the evening. The time spent by such a minor in a continuation school or course of instruction as required by section twenty-two of chapter seventy-one shall be reckoned as a part of the time he is permitted to work.

SECTION 4. Said chapter one hundred and forty-nine is hereby amended by striking out section seventy and inserting in place thereof the following:— *Section 70.* No minor under sixteen shall engage or be employed in any of the trades or occupations mentioned in the preceding section unless such minor complies with all the provisions of the three following sections and with all the legal requirements concerning school attendance, and unless a badge has been issued to such minor by the officer authorized to issue employment certificates in the city or town where such minor resides.

G. L. 149, § 70, amended.

Minors under sixteen, compliance with school attendance laws, etc.

Approved May 19, 1921.

AN ACT AUTHORIZING THE CITY OF EVERETT TO REIMBURSE CERTAIN OFFICIALS FOR THE EXPENSE OF DEFENDING A SUIT AGAINST THEM IN THEIR OFFICIAL CAPACITY.

Chap. 411

Be it enacted, etc., as follows:

SECTION 1. The city of Everett may pay to Forman K. Robbins, C. Joseph McNamara, Howard C. Loveless, William M. Beck and William J. Schoppelry, former members of its board of public works and Lindley R. Woods, its former superintendent of water, three hundred and sixty dollars and sixty cents each, to reimburse them for expenses paid as a result of a suit brought against them by Michael J. Connell, an employee of the water department.

Everett may reimburse certain officials for expense defending suit, etc.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to city council, etc.
Proviso.

Approved May 19, 1921.

AN ACT AUTHORIZING THE CITY OF PEABODY TO BORROW MONEY IN ANTICIPATION OF REVENUE.

Chap. 412

Be it enacted, etc., as follows:

SECTION 1. The city council of the city of Peabody may, within thirty days from the passage of this act, pass an order

Peabody authorized to borrow money

in anticipation
of revenue, etc.

authorizing the borrowing of money in anticipation of revenue of the year nineteen hundred and twenty-one, the same to be deemed an emergency measure; and such order may be passed in the manner set forth in section twenty-five of chapter three hundred of the Special Acts of nineteen hundred and sixteen. The provisions of section twenty-eight of said chapter three hundred shall not apply to the council order passed in accordance with the provisions of this act. Any debt incurred under authority of the above named order shall be payable from the revenue of the year nineteen hundred and twenty-one, in the manner provided by general law.

SECTION 2. This act shall take effect upon its passage.

Approved May 20, 1921.

Chap. 413 AN ACT RELATIVE TO PENSIONS OF JUSTICES OF DISTRICT COURTS.

Be it enacted, etc., as follows:

G. L. 32, § 65,
amended.

Pensions for
justices of
certain district
courts.

Chapter thirty-two of the General Laws is hereby amended by striking out section sixty-five and inserting in place thereof the following: — *Section 65.* Any justice of a district court, except the municipal court of the city of Boston, appointed before July first, nineteen hundred and twenty-one, who shall have reached the age of seventy, and who shall have served as a justice of such court for at least twenty consecutive years, may, with the approval of the governor and council, resign his office, and any such justice who so resigns, or who is retired under article LVIII of the amendments to the constitution, shall thereupon during the remainder of his life receive an amount equal to three fourths of the salary payable to him at the time of his resignation or retirement, to be paid in the same manner in which the salaries of acting justices are paid. Any justice of any such court appointed after said date who is retired under said article LVIII shall on retirement be entitled to receive a pension equal to one half the salary which the justice of said court was entitled to receive immediately prior to July first, nineteen hundred and twenty-one and payable in like manner. Sections twenty to twenty-five, inclusive, shall not apply to the justices of any such district court.

Approved May 20, 1921.

Certain sections
not to apply.

AN ACT AUTHORIZING THE CITY OF BOSTON TO PAY A SUM Chap. 414
OF MONEY TO OLIVE P. GATELY.

Be it enacted, etc., as follows:

SECTION 1. The city of Boston may pay to Olive P. Gately, a sum of money not exceeding the difference between the amount found due from said city to Mary M. Gately, as guardian of the said Olive P. Gately, by an auditor whose report was filed in the superior court for the county of Suffolk in the month of March, nineteen hundred and eleven, and the amount actually paid by said city, together with interest on said sum.

Boston may pay sum of money to Olive P. Gately.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided such acceptance occurs prior to December thirty-first in the current year.

To be submitted to city council, etc.
Proviso.

Approved May 20, 1921.

AN ACT PROVIDING FOR AN INVESTIGATION BY THE DEPARTMENT OF MENTAL DISEASES AS TO THE MENTAL CONDITION OF CERTAIN PERSONS HELD FOR TRIAL. Chap. 415

Be it enacted, etc., as follows:

Chapter one hundred and twenty-three of the General Laws is hereby amended by inserting after section one hundred the following new section: — *Section 100A.* Whenever a person is indicted by a grand jury for a capital offense or whenever a person, who is known to have been indicted for any other offense more than once or to have been previously convicted of a felony, is indicted by a grand jury or bound over for trial in the superior court, the clerk of the court in which the indictment is returned, or the clerk of the district court or the trial justice, as the case may be, shall give notice to the department of mental diseases, and the department shall cause such person to be examined with a view to determine his mental condition and the existence of any mental disease or defect which would affect his criminal responsibility. The department shall file a report of its investigation with the clerk of the court in which the trial is to be held, and the report shall be accessible to the court, the district attorney and to the attorney for the accused, and shall be admissible as evidence of the mental condition of the accused.

G. L. 123, new section after § 100.

Department of mental diseases.
Investigation as to mental condition of certain persons held for trial.

Approved May 20, 1921.

Chap.416 AN ACT RELATIVE TO THE SURPLUS OF SAVINGS AND INSURANCE BANKS.

Be it enacted, etc., as follows:

G. L. 178, § 21,
amended.

A percentage
of profits of
insurance
department of
savings and
insurance banks
to be set apart
as an emer-
gency fund,
etc.

Proviso.

Chapter one hundred and seventy-eight of the General Laws is hereby amended by striking out section twenty-one and inserting the following: — *Section 21.* Each savings and insurance bank shall annually set apart as a surplus from the net profits, if any, which have been earned in its insurance department, an amount not less than twenty nor more than seventy-five per cent thereof, until such fund equals ten per cent of its net insurance reserve, or the amount of its special insurance guaranty fund, whichever is the greater. Thereafter each such bank may add in any year to its said surplus fund not more than fifteen per cent of the net profits, if any, which have been earned in its insurance department in such year; provided, that no such bank shall so add to its said surplus fund if it equals ten per cent of the net insurance reserve of said bank. Such surplus fund shall thereafter be maintained and held or used so far as necessary to meet losses in its insurance department whether from unexpectedly great mortality, depreciation in its securities, or otherwise, and for the maintenance of a stable dividend scale. The balance of the net profits of each year shall annually be distributed equitably among the holders of its policies and annuity contracts, such distribution to be made in the discretion of the trustees either in cash or by addition to the amounts payable under the policies or annuity contracts.

Approved May 20, 1921.

Chap.417 AN ACT RELATIVE TO SUITS COMMENCED BY TRUSTEE PROCESS IN DISTRICT COURTS.

Be it enacted, etc., as follows:

G. L. 246, new
section after
§ 4.

Transfer of
suits com-
menced by
trustee
process in
district courts.

Chapter two hundred and forty-six of the General Laws is hereby amended by inserting after section four the following new section: — *Section 4A.* Whenever an action is commenced by trustee process in a district court in the district in which the party named in the writ as trustee lives or has his usual place of business, which could not be brought in that district except because of the residence or place of business of the trustee, the court may on motion of any party thereto transfer such action for trial and final disposition to

any other district court in which the action might have been commenced had there been no trustee named in the writ.
Approved May 20, 1921.

AN ACT AUTHORIZING THE CITY OF CHELSEA TO PENSION *Chap.418*
GEORGE H. WILLEY.

Be it enacted, etc., as follows:

SECTION 1. The city of Chelsea may retire George H. Willey, the present city auditor, on an annual pension equal to one half the annual compensation paid him at the time of his retirement. Chelsea may pension George H. Willey, city auditor.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of the said city, subject to the provisions of its charter; provided that such acceptance occurs prior to December thirty-first in the current year. To be submitted to city council, etc. Proviso.

Approved May 20, 1921.

AN ACT RELATIVE TO THE REGISTRATION OF EMBALMERS. *Chap.419*

Be it enacted, etc., as follows:

Section eighty-two of chapter one hundred and twelve of the General Laws is hereby amended by adding at the end of said section the following: — In case of failure to make the payment for the renewal of registration upon the date designated by the board, reinstatement may be obtained upon application within ten days after said date by the payment of ten dollars in addition to the regular fee of two dollars for renewal. In case a registered embalmer fails to renew his registration on the date so designated, the board, not later than two days thereafter, shall so notify him. G. L. 112, § 82, amended. Registration of embalmers. Reinstatement. Board to notify.

Approved May 23, 1921.

AN ACT RELATIVE TO THE DISTRIBUTION OF SCHOOL FUNDS AND OTHER STATE AID FOR PUBLIC SCHOOLS FOR THE PURPOSE OF INCREASING TEACHERS' SALARIES, AND ESTABLISHING A MINIMUM SALARY FOR TEACHERS. *Chap.420*

Be it enacted, etc., as follows:

SECTION 1. Chapter seventy of the General Laws is hereby amended by striking out section two and inserting in place thereof the following: — *Section 2.* For each such person employed for full time service for the entire school year, such reimbursement shall be as follows: G. L. 70, § 2, amended. Distribution of school funds, etc.

Reimbursement based on full time service of teachers, etc.

(1) Two hundred dollars for every person so employed who received as salary not less than nine hundred and fifty dollars and who is a graduate of an approved normal school or college and had taught on full time at least two years previous to said year or whose preparation and teaching experience are accepted as equivalent.

(2) One hundred and fifty dollars for every person so employed not included in paragraph (1) who received as salary not less than eight hundred and fifty dollars and (a) has satisfactorily completed one year of professional training in an approved normal school or teachers' training school, and had taught on full time at least three years previous to said year; or (b) is a graduate of an approved normal school or college, and had taught on full time for at least one year previous to said year; or (c) whose preparation and teaching experience are accepted as equivalent.

(3) One hundred dollars for every person so employed and not included in paragraphs (1) or (2) who received as salary not less than seven hundred and fifty dollars.

G. L. 70, § 4, amended.

Supplementary reimbursement.

SECTION 2. Said chapter seventy is hereby further amended by striking out section four and inserting in place thereof the following: — *Section 4.* Every town whose valuation, including omitted assessments, for the year next preceding the date of payment, when divided by the net average membership of its public day schools as defined in section five for the year ending on the next preceding June thirtieth, yields a quotient less than forty-five hundred dollars shall, for each person for whom it received reimbursement under section two, receive supplementary reimbursement as follows:

(1) Three hundred and fifty dollars if said quotient is less than two thousand.

(2) Three hundred dollars if said quotient is less than twenty-five hundred but not less than two thousand.

(3) Two hundred and fifty dollars if said quotient is less than three thousand but not less than twenty-five hundred.

(4) Two hundred dollars if said quotient is less than thirty-five hundred but not less than three thousand.

(5) One hundred and fifty dollars if said quotient is less than four thousand but not less than thirty-five hundred.

(6) One hundred dollars if said quotient is less than forty-five hundred but not less than four thousand.

For each person for whom any such town received proportionate reimbursement under section three it shall in each case receive as supplementary reimbursement the same proportion of the sums named herein for full time service.

SECTION 3. Said chapter seventy is hereby further amended by striking out section eleven and inserting in place thereof the following: — *Section 11.* For the purposes of Part II of this chapter, the following word and phrase shall be defined as follows: —

G. L. 70, § 11,
amended.
Definitions.

“Valuation” shall mean the town’s valuation, as determined by the last preceding assessors’ valuation, exclusive of omitted assessments.

“Assured minimum” shall mean the amount by which the sum of the following items for the last preceding town fiscal year exceeded the amount received by the town during said year under Part I and for the tuition of non-resident pupils, including state wards;

(1) Salaries paid to full time principals and teachers, not including any amounts by which any such salary was at a rate in excess of nine hundred and fifty dollars.

(2) Two hundred and fifty dollars for each teaching position held by a full time principal or teacher.

(3) Expenditures for transportation of pupils to the local schools.

(4) Expenditures for the tuition in, and transportation to, public elementary schools in adjoining towns.

(5) In the case of towns having over five hundred families and exempted from the requirement of maintaining a four year high school, the actual expenditures made during that year for tuition in high schools in other towns.

In computing the “assured minimum”, expenditures for state-aided vocational or continuation schools or Americanization classes shall not be included.

SECTION 4. Chapter seventy-one of the General Laws is hereby amended by striking out section forty and inserting in place thereof the following: — *Section 40.* The compensation of every teacher employed in any public day school in the commonwealth, except persons in training and those employed as temporary substitutes, shall be at a rate of not less than seven hundred and fifty dollars for the school year in that school.

G. L. 71, § 40,
amended.

Minimum
salary for
teachers.

SECTION 5. This act shall take effect September first, nineteen hundred and twenty-one, but the reimbursements to the several towns due on November fifteenth, nineteen hundred and twenty-one, shall be made in accordance with the provisions of law in effect at the time of the passage of this act.

Time of taking
effect, etc.

Approved May 23, 1921.

*Chap.*421 AN ACT AUTHORIZING THE CONSTRUCTION OF A NEW BRIDGE
OVER ABERJONA RIVER AT BACON STREET IN THE TOWN OF
WINCHESTER AND APPORTIONING THE EXPENSE THEREOF.

Be it enacted, etc., as follows:

Winchester
may construct
new bridge
over Aberjona
river at Bacon
street, etc.

SECTION 1. The town of Winchester, acting by its board of selectmen or by such other agents or committees as it may appoint for the purpose, is hereby authorized and directed to remove the existing bridge over the Aberjona river at Bacon street in said town, known as the Bacon street bridge, and to construct a new bridge with suitable approaches at or near the site of the present bridge. Said town shall construct any necessary approaches to said bridge on each end thereof, may construct a temporary highway bridge to be used by vehicles and pedestrians or may repair and strengthen the existing bridge so that it may be used temporarily for such purpose during the construction of the new bridge, and may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, such lands or rights therein for the approaches to said bridge as it shall deem necessary for carrying out the provisions of this act, and shall cause all lands so acquired to be properly filled and graded. The plans of said bridge shall be approved by the selectmen of Winchester, the county commissioners of the county of Middlesex and the metropolitan district commission.

Approval
of plans.

Width and
construction of
bridge.

SECTION 2. Said bridge shall be suitable for all the purposes of ordinary travel, shall be not less than sixty feet in width and shall be constructed of concrete, stone or other masonry.

Bridge
approaches.

SECTION 3. The approaches to said bridge shall be laid out by the county commissioners of the county of Middlesex as a highway not less than sixty feet in width at its proximity to the abutments of said bridge at either end.

Cost and
expenses of
construction,
etc., of
approaches.

SECTION 4. The cost of laying out and constructing said approaches, including any damages awarded or paid on account of any taking of land or property therefor, or for injury to any property, any sums paid for land or rights purchased, the cost of construction of the abutments and other parts of said bridge, the cost, if any, of repairing and strengthening the existing bridge for temporary use and the salaries and wages of all employees of said town, including all other expenses incurred in carrying out the provisions of this act,

shall be deemed to be the cost of construction of said bridge; provided, that said cost shall not exceed thirty-five thousand dollars; and provided, also, that any land of the commonwealth necessary for said bridge or its approaches may be taken without payment of damages therefor.

Provisos.

SECTION 5. The cost and expenses incurred under this act shall, in the first instance, be paid by the town of Winchester, and for that purpose said town may from time to time borrow by a temporary loan or loans such sums as may be required for the cost and expenses aforesaid, and may renew the same for such periods as may be necessary. Upon the completion of the bridge the selectmen of said town shall file with the county commissioners of the county of Middlesex a detailed statement, certified under their hands, of the actual cost of its construction, and said county shall pay to said town twenty-five per cent thereof, but not exceeding eight thousand seven hundred and fifty dollars.

Winchester may borrow temporarily to pay cost, etc.

SECTION 6. To meet the payments required to be made by the county of Middlesex under the provisions of this act, the county commissioners of said county may borrow from time to time, on the credit of the county, sums not exceeding in the aggregate eight thousand seven hundred and fifty dollars, and may issue the bonds or notes of the county therefor, payable by such annual payments, beginning not more than one year after the date of each loan as will extinguish the same within ten years from its date; and the amount of such annual payments on such a loan in any year shall not be less than the amount of the principal of the loan payable in any subsequent year.

Middlesex county commissioners may issue bonds, etc., to meet payments.

SECTION 7. For the purpose of paying the seventy-five per cent of the total cost and expenses incurred under this act which is to be borne by the town of Winchester, the said town may borrow from time to time such sums as may be necessary not exceeding, in the aggregate, twenty-six thousand two hundred and fifty dollars, and may issue bonds or notes therefor which shall bear on their face the words, Winchester Bacon Street Bridge Loan, Act of 1921. Each authorized issue shall constitute a separate loan and such loans shall be payable within ten years from their dates. Indebtedness incurred by said town under this act shall be in excess of the statutory limit, but shall otherwise be subject to chapter forty-four of the General Laws. Any sums paid into the town treasury by the county or received from loans authorized by this section shall be applied to the payment

Winchester Bacon Street Bridge Loan, Act of 1921.

of costs and expenses incurred under this act or to the payment of temporary loans authorized by section five.

To be submitted to Middlesex county commissioners and inhabitants of Winchester. Proviso.

SECTION 8. This act shall take effect upon its acceptance by the county commissioners of the county of Middlesex and by the inhabitants of the town of Winchester; provided that such acceptances occur prior to December thirty-first in the current year; but so much of this act as authorizes its submission for acceptance as aforesaid shall take effect upon its passage.

Approved May 23, 1921.

Chap. 422 AN ACT RELATIVE TO THE SALARY OF THE REGISTER OF DEEDS AND ASSISTANT RECORDER OF THE LAND COURT FOR THE DISTRICT OF NORTHERN MIDDLESEX.

Be it enacted, etc., as follows:

G. L. 36, § 34, amended.

Registers of deeds. Adjustment of salaries in year following census.

Provisos.

SECTION 1. Chapter thirty-six of the General Laws is hereby amended by striking out section thirty-four and inserting in place thereof the following: — *Section 34.* In the year following each state and national census, said salaries shall be adjusted by each county treasurer in accordance with the classification set forth in the preceding section, based upon population as ascertained by said census and upon the average annual gross income for the five years next preceding January first in the year of adjustment, and shall be paid as of said day; provided, that seventy per cent only of all income received after May twentieth, nineteen hundred and twenty, shall be taken as a basis for computing said average annual income, and provided, further, that the register of deeds and assistant recorder of the land court for the district of northern Middlesex shall receive fifteen per cent of the average annual gross income, computed as provided in this section, instead of ten per cent. No salary of a register or assistant register in office July twenty-fourth, nineteen hundred and nineteen, shall be diminished by reason of any such adjustment thereof.

To be submitted to Middlesex county commissioners. Proviso.

SECTION 2. This act shall take effect upon its acceptance by the county commissioners of the county of Middlesex; provided, that such acceptance occurs prior to December thirty-first in the current year. *Approved May 23, 1921.*

AN ACT RELATIVE TO FEES OF DEPUTY SHERIFFS IN ATTENDANCE UPON THE SUPREME JUDICIAL, SUPERIOR OR PROBATE COURT. Chap.423

Be it enacted, etc., as follows:

Section seventy-five of chapter two hundred and twenty-one of the General Laws is hereby amended by inserting after the word "day", in the second line, the words: — , or ten dollars a day in any county where the county commissioners so vote, — so as to read as follows: — *Section 75.* Deputy sheriffs not on salary shall be paid seven dollars a day, or ten dollars a day in any county where the county commissioners so vote, for attendance upon the supreme judicial, superior or probate court, or upon the session of the county commissioners, and ten cents a mile for travel out and home once a week during such attendance. Constables shall be paid for such attendance four dollars a day, and five cents a mile for travel out and home once a week, except that when in attendance upon the supreme judicial court in Suffolk county they shall receive four dollars and fifty cents a day. Compensation under this section shall be paid by the respective counties, except that for attendance on the supreme judicial court in Suffolk county when said court is sitting for the commonwealth it shall be paid by the commonwealth.

G. L. 221, § 75, amended.

Fees of deputy sheriffs for attendance at court.

Approved May 23, 1921.

AN ACT AUTHORIZING THE TOWN OF LEXINGTON TO INCUR INDEBTEDNESS FOR HIGHWAY PURPOSES. Chap.424

Be it enacted, etc., as follows:

SECTION 1. For the purpose of widening and improving streets and highways, the town of Lexington may from time to time borrow such sums as may be necessary, not exceeding in the aggregate fifty thousand dollars, and may issue bonds or notes therefor which shall bear on their face the words, Lexington Highway Loan, Act of 1921. Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than ten years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall otherwise be subject to chapter forty-four of the General Laws.

Lexington may borrow for highway purposes.

Lexington Highway Loan, Act of 1921.

SECTION 2. This act shall take effect upon its passage.

Approved May 24, 1921.

Chap. 425 AN ACT PROVIDING FOR THE INDEMNIFICATION OF OFFICERS
FOR TAKING PERSONAL PROPERTY ON ATTACHMENT OR
EXECUTION OR ARRESTING THE BODY ON MESNE PROCESS
OR EXECUTION IN A CIVIL ACTION.

Be it enacted, etc., as follows:

G. L. 223, new
section after
§ 45.

Attachment
of property.
Officer may
require
security from
plaintiff to
indemnify
him, etc.

SECTION 1. Chapter two hundred and twenty-three of the General Laws is hereby amended by inserting after section forty-five the following new section: — *Section 45A*. If there is reasonable doubt as to the ownership of personal property or as to its liability to be attached on mesne process, before or after the attachment has been made, the officer may require sufficient security from the plaintiff to indemnify him for attaching or continuing to hold the same. If sufficient security is not furnished within a reasonable time after the officer has made a written demand upon the plaintiff or his attorney, the officer may refuse to attach such property or, if he has attached it, may release it from attachment, without liability to the plaintiff therefor.

G. L. 223, new
section after
§ 129.

Dissolution of
attachment.
Officer not
liable for
release of
attached
property, when.

SECTION 2. Said chapter two hundred and twenty-three is hereby further amended by inserting after section one hundred and twenty-nine the following new section: — *Section 129A*. The officer shall not be liable for the release of personal property attached by him if he receives a certificate from the clerk of the court to which the writ is returnable, stating that a bond purporting to dissolve such attachment has been filed in the office of said clerk.

G. L. 224, new
section after
§ 18.

Officer may
require security
from plaintiff,
etc., when.

SECTION 3. Chapter two hundred and twenty-four of the General Laws is hereby amended by inserting after section eighteen the following new section: — *Section 18A*. If there is reasonable doubt as to the identity of the defendant or debtor or as to the lawfulness of his arrest, at the time of the arrest or thereafter, either in the case of arrest on mesne process or on execution, the officer may require sufficient security from the plaintiff or creditor to indemnify him for arresting the defendant or debtor or for continuing to retain him in custody. If sufficient security is not furnished within a reasonable time after the officer has made a written demand upon the plaintiff, creditor or his attorney for such security, the officer shall not be obliged to arrest the defendant or debtor or, if he then has the defendant or debtor under arrest, he may release him from custody, without liability to the plaintiff or creditor therefor.

SECTION 4. Chapter two hundred and thirty-five of the General Laws is hereby amended by striking out section thirty-five and inserting in place thereof the following:—
Section 35. If there is reasonable doubt as to the ownership of personal property or as to its liability to be taken on execution, before or after the execution has been levied thereon, the officer may require sufficient security from the creditor to indemnify him for taking or continuing to hold the same. If sufficient security is not furnished within a reasonable time after the officer has made a written demand upon the creditor or his attorney, the officer may refuse to levy the execution or, if he has already levied it, may discharge his levy, without liability to the creditor therefor.

G. L. 235, § 35, amended.

Indemnification of officer, etc.

Approved May 24, 1921.

AN ACT RELATIVE TO THE OFFICES OF THE VARIOUS BOARDS
 IN THE DIVISION OF REGISTRATION. Chap.426

Be it enacted, etc., as follows:

Section nine of chapter thirteen of the General Laws is hereby amended by adding at the end thereof the following:— and shall establish their offices in the state house within the spaces already or hereafter assigned to the director of registration, — so as to read as follows:— *Section 9.* The various boards of registration and examination hereafter mentioned in this chapter shall serve in the division of registration and shall establish their offices in the state house within the spaces already or hereafter assigned to the director of registration.

G. L. 13, § 9, amended.

Division of registration. Various boards to have offices in state house.

Approved May 24, 1921.

AN ACT RELATIVE TO THE ABANDONMENT OR DISCONTINUANCE OF STATE HIGHWAYS. Chap.427

Be it enacted, etc., as follows:

SECTION 1. Section five of chapter eighty-one of the General Laws is hereby amended by inserting after the word "commonwealth", in the twelfth line, the following:— ; but any state highway so laid out and constructed may be abandoned or discontinued as provided in section twelve, — so as to read as follows:— *Section 5.* If the division determines that public necessity and convenience require that such way should be laid out or be taken charge of by the commonwealth, it shall file in the office of the county com-

G. L. 81, § 5, amended.

Laying out state highways.

missioners for the county where the way is situated a certified copy of a plan thereof, a copy of the petition therefor, and a certified copy of a certificate that it has laid out and taken charge of said way in accordance with said plan, and shall file in the office of the clerk of such town a copy of the plan showing the location of the portion lying in each town and a copy of the certificate that it has laid out and taken charge of said highway in accordance with said plan, and thereafter said way shall be a state highway, and shall be constructed by the division at the expense of the commonwealth; but any state highway so laid out and constructed may be abandoned or discontinued as provided in section twelve. The width of a state highway shall be such as the division deems necessary. If the width of a state highway be less than that of the way previously existing, that portion of the way which lies between the boundary or location lines of the state highway and the boundary lines of the way previously existing shall remain a public way unless the division determines that it should be abandoned, or the county commissioners of the county, or the city or town in which the way is situated, having jurisdiction of the way, abandon at any time said portion in the manner provided by law for the alteration, relocation or discontinuance of public ways.

Abandonment
or discontinu-
ance of high-
ways, etc.

Effect when
narrower than
existing way.

G. L. 81, § 12,
amended.

Abandonment
of state high-
way.

SECTION 2. Said chapter eighty-one is hereby further amended by striking out section twelve and inserting in place thereof the following:— *Section 12.* The division, with the concurrence of the county commissioners, may discontinue as a state highway any way or section of way laid out and constructed under the provisions of section five by filing in the office of the clerk of the county commissioners for the county and in the office of the clerk of the town in which such way is situated a certified copy of a plan showing the way so discontinued and a certificate that it has discontinued such way; and thereafter the way or section of way so discontinued shall be a town way. Said division may also abandon any land or rights in land which may have been taken or acquired by it by filing in the office of the clerk of the county commissioners for the county and in the office of the clerk of the town in which such land is situated a certified copy of a plan showing the land so abandoned and a certificate that it has abandoned such land, and by filing for record in the registry of deeds for the county or district in which the land lies a description and plan of the land so abandoned; and said abandonment shall revert the title to

the land or rights abandoned in the persons in whom it was vested at the time of the taking, or their heirs and assigns.
Approved May 24, 1921.

AN ACT RELATIVE TO THE REPAIR AND MAINTENANCE OF CERTAIN PUBLIC WAYS IMPROVED WITH STATE FUNDS. *Chap. 428*

Be it enacted, etc., as follows:

Chapter eighty-one of the General Laws is hereby amended by striking out section twenty-five and inserting in place thereof the following: — *Section 25.* When any public way has been constructed or improved in whole, or in part, with money furnished by the commonwealth, and the way is not laid out as a state highway, the town in which the way lies shall thereafter keep and maintain in good repair and condition that part of the way which has been so constructed or improved; and the expense thereof shall be borne by the town or county, or both, as may be agreed upon at the time such construction or improvement is undertaken. If the division shall determine at any time that such way is not being maintained in proper condition, it shall so notify the mayor or selectmen having charge of the repairs of said way and the county commissioners, and shall specify in said notice what repairs and improvements are necessary; and the officials in charge of the way shall forthwith proceed to make the specified repairs and improvements. If said officials do not make such repairs or improvements within fifteen days from the receipt of such notice, or within such further time as the division may allow, the division may proceed to have the repairs or improvements made, and may pay for the same from any money which may be available for the repair and maintenance of state highways. The division shall annually, in January, certify to the state treasurer the amount of such expenditures during the preceding year. So much of the expenditures as by agreement are to be paid by the towns shall be made a part of the state tax for such towns; and so much of the expenditures as by agreement are to be paid by the counties shall be paid by the county treasurers to the state treasurer. The division may embody the provisions of this section in all contracts and agreements for work to be done in the construction or improvement of public ways, other than state highways, constructed or improved in whole, or in part, with money furnished by the commonwealth.

G. L. 81, § 25, amended.

Repair and maintenance of certain public ways improved with state funds, etc.

Certification of expenditures to state treasurer, etc.

Approved May 24, 1921.

Chap.429 AN ACT AUTHORIZING THE TOWN OF GREENFIELD TO ACQUIRE THE FRANCHISE AND PROPERTY OF FIRE DISTRICT NUMBER ONE IN GREENFIELD.

Be it enacted, etc., as follows:

Town of Greenfield authorized to acquire franchise, etc., of Fire District Number One in Greenfield.

SECTION 1. The town of Greenfield is hereby authorized to take over the franchise and all property and rights, and to assume all obligations, of Fire District Number One in Greenfield. All authority granted to said district and vested in its water commissioners shall remain in force, and the commissioners now in office shall continue to hold office for the terms for which they have been elected, and their successors, as vacancies occur, shall be elected at the annual town meeting in the same manner as other town officers, for terms of three years; and the commissioners shall have all the powers and perform all the duties of the prudential committees of fire districts. The present engineers and other members of the fire department of said district shall continue in office with all their present rights and duties until such time as their successors are appointed in accordance with the general law. All receipts of the departments of the district taken over by the town shall be paid to the town treasurer, and all disbursements on account of the said departments shall be made by the treasurer in the same manner as bills of other departments of the town.

To be submitted to the voters of the district and town.

SECTION 2. For the purpose of submitting this act to the voters of the district and of the town, this act shall take effect upon its passage; but it shall not take further effect until accepted by a majority vote of the voters of said district, present and voting thereon by ballot at a meeting called for the purpose, and by a majority of the voters of said town, present and voting thereon by ballot at a meeting called for the purpose; and it shall take full effect upon January first next following such acceptance by both said district and town.

Time of taking full effect.

Approved May 24, 1921.

Chap.430 AN ACT CHANGING THE NAMES OF THE VARIOUS "POLICE" COURTS TO "DISTRICT" COURTS.

Be it enacted, etc., as follows:

G. L. 218, amended.

SECTION 1. Chapter two hundred and eighteen of the General Laws is hereby amended by striking out the name "police", wherever it appears as part of the name of any

court, and inserting in place thereof the word: — district, — so that the police court of Lee shall be known hereafter as the district court of Lee; the police court of Williamstown as the district court of Williamstown; the police court of Newburyport as the district court of Newburyport; the police court of Chicopee as the district court of Chicopee; the police court of Holyoke as the district court of Holyoke; the police court of Springfield as the district court of Springfield; the police court of Lowell as the district court of Lowell; the police court of Marlborough as the district court of Marlborough; the police court of Newton as the district court of Newton; the police court of Somerville as the district court of Somerville; the police court of Brockton as the district court of Brockton; the police court of Chelsea as the district court of Chelsea; and the police court of Fitchburg as the district court of Fitchburg.

Names of various "police" courts changed to "district" courts.

SECTION 2. Section twenty-four of chapter one hundred and twenty-two of the General Laws is hereby amended by striking out, in the fourth line, the word "police" and inserting in place thereof the word: — district, — so as to read as follows: — *Section 24.* Complaints for violations of the preceding section may be made and prosecuted by any overseer of the poor or by the Boston infirmary trustees or by agents, not exceeding two, appointed by the department and designated for such purpose. The district court of Lowell may, at such times as it appoints, hold sessions at Tewksbury for the trial of such complaints against inmates of the state infirmary.

G. L. 122, § 24, amended.

Complaints for escapes.

SECTION 3. Section twenty-five of said chapter one hundred and twenty-two is hereby amended by striking out, in the first and fourth lines, the word "police" and inserting in place thereof in each instance the word: — district, — so as to read as follows: — *Section 25.* The district court of Lowell shall have jurisdiction of said offence concurrent with any other court having jurisdiction thereof if committed in any part of the county of Middlesex without the district of said court, and the district court of Lawrence and the first district court of Essex shall have the same concurrent jurisdiction of said offence if committed in any part of the county of Essex without their respective districts.

G. L. 122, § 25, amended.

Jurisdiction of certain courts.

SECTION 4. The change of name provided for in this act shall not affect the validity of any proceedings commenced in any of said courts under the name of "police" court prior to the day this act takes effect. *Approved May 24, 1921.*

Provisions of the act not to affect validity of proceedings, etc.

Chap.431 AN ACT RELATIVE TO DEMURRERS AT LAW AND IN EQUITY.*Be it enacted, etc., as follows:*G. L. 214, § 13,
amended.

SECTION 1. Section thirteen of chapter two hundred and fourteen of the General Laws is hereby amended by striking out, in the third and fourth lines, the words “; but a demurrer shall be accompanied by a certificate that it is not intended for delay”, so as to read as follows: — *Section 13.* A defence to a suit in equity shall be made by demurrer, plea or answer. A demurrer or plea need not contain a protestation or concluding prayer. An answer, except to a bill for discovery only, or a plea, shall not be made under oath or under seal, and it need not contain any saving of exceptions to the bill, or a prayer to be dismissed or for costs. Answers to interrogatories in a bill for discovery shall be made within such time as the court orders, and questions arising thereon shall be determined by the rules applicable to bills for discovery.

Demurrer,
answer and
plea.G. L. 231, § 18,
amended.
Last paragraph
stricken out.

SECTION 2. Section eighteen of chapter two hundred and thirty-one of the General Laws is hereby amended by striking out the last paragraph.

*Approved May 24, 1921.***Chap.432** AN ACT RELATIVE TO VENUE IN SUITS ON ASSIGNED CLAIMS.*Be it enacted, etc., as follows:*G. L. 223, § 1,
amended.

Section one of chapter two hundred and twenty-three of the General Laws is hereby amended by inserting after the word “business”, in the third and fourth lines, the following: — ; provided, that except in actions upon negotiable instruments if the plaintiff is an assignee of the cause of action, it shall be brought only in a county where it might have been brought by the assignor thereof, — so as to read as follows: — *Section 1.* A transitory action shall, except as otherwise provided, if any one of the parties thereto lives in the commonwealth, be brought in the county where one of them lives or has his usual place of business; provided, that except in actions upon negotiable instruments if the plaintiff is an assignee of the cause of action, it shall be brought only in a county where it might have been brought by the assignor thereof. If brought in any other county, unless removed under section fifteen, the writ shall abate and the defendant shall be allowed double costs. If neither party lives in the commonwealth, the action may be brought in any county.

Venue of
transitory
actions.

Proviso.

Approved May 24, 1921.

AN ACT EXTENDING THE TIME WITHIN WHICH THE BOSTON AND EASTERN ELECTRIC RAILROAD COMPANY IS REQUIRED TO FILE A BOND AND TO CONSTRUCT AND OPERATE ITS RAILROAD. Chap. 433

Be it enacted, etc., as follows:

SECTION 1. The time for the filing of the bond after the incorporation of the Boston and Eastern Electric Railroad Company, as provided in section two of chapter five hundred and sixty-four of the acts of nineteen hundred and eleven, as extended by chapter one hundred and twenty-three of the Special Acts of nineteen hundred and eighteen, is hereby further extended to April first, nineteen hundred and twenty-four; and the time within which the construction of the tunnel and the railroad of the said railroad company shall begin, and the time allowed for the construction and the opening for public use of said tunnel and said railroad, all as provided in sections twelve and thirteen of chapter one hundred and sixty-two of the General Laws and in chapter six hundred and thirty of the acts of nineteen hundred and ten, shall start from the said April first, instead of from the date of the certificate of incorporation of the said company.

Boston and Eastern Electric Railroad Company. Time for filing bond, construction and operation extended.

SECTION 2. All the powers, rights and privileges of the said railroad company held on March thirty-first, nineteen hundred and twenty-one, and all rights, powers and privileges acquired by the said company since said March thirty-first, shall continue in full force and effect; provided, that the said powers, rights and privileges shall cease on April first, nineteen hundred and twenty-four, unless the bond aforesaid is filed.

All rights, powers, etc., continued in force.

Proviso.

Approved May 24, 1921.

AN ACT AUTHORIZING THE REGISTRAR OF MOTOR VEHICLES TO APPROVE LENSES OR DEVICES DESIGNED TO PREVENT GLARING RAYS. Chap. 434

Whereas, The menace to public safety caused by the glare of headlights on motor vehicles is so extensive that this act should take immediate effect, therefore the same is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety.

Emergency preamble.

Be it enacted, etc., as follows:

Section seven of chapter ninety of the General Laws, as amended by chapter one hundred and eighty-nine of the

G. L. 90, § 7, etc., amended.

acts of nineteen hundred and twenty-one, is hereby further amended by inserting after the next to the last sentence the following:— No headlamp shall be used upon any motor vehicle so operated unless such lamp is equipped with a lens or other device, approved by the registrar, designed to prevent glaring rays. Application for such approval accompanied by a fee of fifty dollars may be made to the registrar by any manufacturer of or dealer in such a lens or device, — so as to read as follows:— *Section 7.* Every motor vehicle of more than ten horse power operated in or on any way shall be provided with at least two brakes, powerful in action and separated from each other, of which one brake shall act directly on the driving wheels or on parts of the mechanism which are firmly connected with said wheels. Each of the two brakes shall suffice alone to stop the motor vehicle within a proper distance. One of the two brakes shall be so arranged as to be operated with the foot. Every automobile of not more than ten horse power and every motor cycle shall be provided with at least one brake. Every motor vehicle so operated shall be provided with a muffler or other suitable device to prevent unnecessary noise and with a suitable bell, horn or other means of signalling, and with suitable lamps; and automobiles shall be provided with a lock, a ratchet brake which can be set, a key or other device to prevent such vehicle from being set in motion by unauthorized persons, or otherwise, contrary to the will of the owner or person in charge thereof. Every automobile operated during the period from one half an hour after sunset to one half an hour before sunrise shall display at least two white lights, or lights of yellow or amber tint, and every motor cycle so operated at least one white light, or light of yellow or amber tint, and every such motor cycle with a side-car attached, in addition, one such light on the front of the side-car, which shall be visible not less than two hundred feet in the direction toward which the vehicle is proceeding; and every such motor vehicle shall display at least one red light in the reverse direction. Every automobile so operated shall have a rear light so placed as to show a red light from behind and a white light so arranged as to illuminate and not obscure the rear register number. No headlamp shall be used upon any motor vehicle so operated unless such lamp is equipped with a lens or other device, approved by the registrar, designed to prevent glaring rays. Application for such approval accompanied by a fee of fifty dollars may

Motor vehicles.
Brakes
and other
equipment.

Lights.

Headlamp
with lens, etc.

be made to the registrar by any manufacturer of or dealer in such a lens or device. Every automobile used for the carriage of passengers for hire, and every commercial motor vehicle or motor truck, so constructed, equipped or loaded that the person operating the same is prevented from having a constantly free and unobstructed view of the highway immediately in the rear, shall have attached to the vehicle a mirror or reflector so placed and adjusted as to afford the operator a clear, reflected view of the highway in the rear of the vehicle.

Mirror or reflector.

Approved May 25, 1921.

AN ACT RATIFYING AND VALIDATING CERTAIN ACTS OF THE TOWN OF METHUEN. Chap. 435

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and sixteen of the Special Acts of nineteen hundred and sixteen and chapter two hundred and eighty-nine of the Special Acts of nineteen hundred and seventeen and any amendments thereof are hereby repealed.

Town of Methuen. Repeals.

SECTION 2. All acts done, elections held and votes passed under the provisions of general law or of said chapter one hundred and sixteen, by the inhabitants of the town of Methuen or any of its officers, or town meeting members in town meeting assembled, from the time of the passage of said act to January eighth, nineteen hundred and eighteen, are hereby ratified, confirmed and made valid so far as the same were within the scope of the power and authority purporting to be conferred by said act, or conferred by general law.

Certain acts, elections and votes passed as a town ratified and confirmed.

SECTION 3. All acts done, elections held and votes passed under the provisions of general law or of said chapter two hundred and eighty-nine and any amendments thereof by the city of Methuen, as apparently created and established under the provisions of said act, or by any official or board of officials elected or appointed under the provisions of general law or of said act and any amendment thereof or of any ordinance of said city, from the time of the passage of said act to March eleventh, nineteen hundred and twenty-one, are hereby ratified, confirmed and made valid as the acts, elections and votes of the said town of Methuen, so far as the same were within the scope of the power and authority purporting to be conferred by said act and any amendments thereof, except that ordinances adopted under authority of

Certain acts, elections and votes passed as a city ratified and confirmed.

Exceptions.

said act shall no longer continue in force and effect, and except further that no person elected or appointed to public office or to public employment under authority of said act and amendments thereof shall continue to hold such office or employment by virtue of such election or appointment, with the exception of such persons as have been appointed members either of the police department or of the fire department who shall respectively remain members of said police department and of said fire department subject to the provisions of chapter thirty-one of the General Laws.

All acts done by certain persons, elected selectmen, ratified, confirmed and made valid.

SECTION 4. All acts done by Samuel Rushton, William L. Stedman and Henry Dean, elected selectmen of the town of Methuen in March, nineteen hundred and seventeen, in incurring indebtedness on behalf of said town between January seventh, and March eleventh, nineteen hundred and twenty-one, and such payments on account of the same as have been made from funds of said town, are hereby ratified, confirmed and made valid.

Election of certain town officers ratified, confirmed and made valid.

SECTION 5. The election of town officers in said town of Methuen on March seventh, nineteen hundred and twenty-one in accordance with the warrant therefor issued under the hands of Samuel Rushton, William L. Stedman and Henry Dean, as selectmen of said town, and dated February twenty-third, nineteen hundred and twenty-one is hereby ratified, confirmed and made valid, and all officers certified by the registrars of voters of said town as being elected at said meeting, are hereby declared to be duly elected officers of said town.

Act, how construed.

SECTION 6. Nothing in this statute shall be construed to apply to any act done, election held or vote passed which the general court cannot constitutionally ratify, confirm and make valid.

SECTION 7. This act shall take effect upon its passage.

Approved May 25, 1921.

Chap. 436 AN ACT AUTHORIZING THE CITY OF CHICOPEE TO INCUR INDEBTEDNESS FOR SEWERAGE PURPOSES.

Be it enacted, etc., as follows:

Chicopee
Sewer Loan,
Act of 1921.

SECTION 1. For the purpose of extending the present sewerage system, the city of Chicopee may from time to time borrow such sums as may be necessary, not exceeding, in the aggregate, fifty thousand dollars, and may issue bonds or notes therefor which shall bear on their face the words,

Chicopee Sewer Loan, Act of 1921. Each authorized issue shall constitute a separate loan and such loans shall be paid within ten years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall otherwise be subject to chapter forty-four of the General Laws.

SECTION 2. This act shall take effect upon its passage
Approved May 25, 1921.

AN ACT AUTHORIZING THE TRUSTEES OF THE BRISTOL COUNTY AGRICULTURAL SCHOOL TO PURCHASE CERTAIN LAND AND ADDITIONAL EQUIPMENT FOR THE SCHOOL. *Chap. 437*

Be it enacted, etc., as follows:

SECTION 1. The trustees of the Bristol county agricultural school are hereby authorized to purchase certain tracts of land known as the Farnham lot, the Phillips' lot, the Wood marsh land, to construct a garage and to provide an auto truck, office safe and certain other items of equipment now required for the said school. Bristol county agricultural school, trustees may purchase certain land and additional equipment for school.

SECTION 2. For the purpose aforesaid, the county commissioners of Bristol county are hereby authorized to levy as a part of the county tax a sum not exceeding sixty-one hundred and fifty dollars. May levy certain sum as part of Bristol county tax.

SECTION 3. This act shall take effect upon its passage.
Approved May 25, 1921.

AN ACT RELATIVE TO THE EXAMINATION AND LICENSING OF MOTION PICTURE FILMS TO BE PUBLICLY EXHIBITED AND DISPLAYED IN THIS COMMONWEALTH. *Chap. 438*

Be it enacted, etc., as follows:

Chapter 438, Acts of 1921.

Referendum petition filed June 8, 1921, and completed
August 23, 1921.

See page 694.

with the provisions of section six, a sufficient number of officers to the division of state police and of clerks and other assistants to carry out the provisions of said sections.

said act shall no longer continue in force and effect, and except further that no person elected or appointed to public office or to public employment under authority of said act and amendments thereof shall continue to hold such office or employment by virtue of such election or appointment, with the exception of such persons as have been appointed members either of the police department or of the fire department who shall respectively remain members of said police department and of said fire department subject to the provisions of chapter thirty-one of the General Laws.

All acts done
by certain
persons,
elected
selectmen,
ratified, con-
firmed and
made valid.

SECTION 4. All acts done by Samuel Rushton, William L. Stedman and Henry Dean, elected selectmen of the town of Methuen in March, nineteen hundred and seventeen, in incurring indebtedness on behalf of said town between January seventh, and March eleventh, nineteen hundred and twenty-one, and such payments on account of the same as have been made from funds of said town, are hereby ratified, confirmed and made valid.

Election of
certain town
officers ratified,
confirmed and
made valid.

SECTION 5. The election of town officers in said town of Methuen on March seventh, nineteen hundred and twenty-one in accordance with the warrant therefor issued under the hands of Samuel Rushton, William L. Stedman and Henry Dean, as selectmen of said town, and dated February twenty-third, nineteen hundred and twenty-one is hereby ratified, confirmed and made valid, and all officers certified by the registrars of voters of said town as being elected at said meeting, are hereby declared to be duly elected officers of said town.

Act, how
construed.

SECTION 6. Nothing in this statute shall be construed to apply to any act done, election held or vote passed which the general court cannot constitutionally ratify, confirm and

percentage of such sum, the city or township may from time to time borrow such sums as may be necessary, not exceeding, in the aggregate, fifty thousand dollars, and may issue bonds or notes therefor which shall bear on their face the words,

Chicopee Sewer Loan, Act of 1921. Each authorized issue shall constitute a separate loan and such loans shall be paid within ten years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall otherwise be subject to chapter forty-four of the General Laws.

SECTION 2. This act shall take effect upon its passage
Approved May 25, 1921.

AN ACT AUTHORIZING THE TRUSTEES OF THE BRISTOL COUNTY AGRICULTURAL SCHOOL TO PURCHASE CERTAIN LAND AND ADDITIONAL EQUIPMENT FOR THE SCHOOL. Chap. 437

Be it enacted, etc., as follows:

SECTION 1. The trustees of the Bristol county agricultural school are hereby authorized to purchase certain tracts of land known as the Farnham lot, the Phillips' lot, the Wood marsh land, to construct a garage and to provide an auto truck, office safe and certain other items of equipment now required for the said school.

Bristol county agricultural school, trustees may purchase certain land and additional equipment for school.

SECTION 2. For the purpose aforesaid, the county commissioners of Bristol county are hereby authorized to levy as a part of the county tax a sum not exceeding sixty-one hundred and fifty dollars.

May levy certain sum as part of Bristol county tax.

SECTION 3. This act shall take effect upon its passage.
Approved May 25, 1921.

AN ACT RELATIVE TO THE EXAMINATION AND LICENSING OF MOTION PICTURE FILMS TO BE PUBLICLY EXHIBITED AND DISPLAYED IN THIS COMMONWEALTH. Chap. 438

Be it enacted, etc., as follows:

SECTION 1. Chapter twenty-two of the General Laws is hereby amended by adding at the end thereof the following new section: — *Section 13.* For the purpose of enforcing the provisions of sections fifty-two to fifty-nine, inclusive, of chapter one hundred and forty-seven, the commissioner may, subject to the approval of the governor and council, appoint, and at his discretion remove, a deputy director of moving picture censorship at an annual salary not to exceed thirty-five hundred dollars, and may also appoint, in accordance with the provisions of section six, a sufficient number of officers to the division of state police and of clerks and other assistants to carry out the provisions of said sections.

G. L. 22, new section after § 12.

Department of public safety. Deputy director of moving picture censorship, appointment, etc.

G. L. 147, new sections 52-59, inclusive.

SECTION 2. Chapter one hundred and forty-seven of the General Laws is hereby amended by adding at the end thereof the following new sections, together with and under the heading, — Motion Picture Films: —

Motion Picture Films.

Motion Picture Films, public display regulated.

Duties of commissioner.

Hearing on decision, affirmation, etc.

Appeal to superior court, etc.

Commissioner's approval, stamped on films and shown on screen.

Rules and regulations

Section 52. On and after January first, in the year nineteen hundred and twenty-two, it shall be unlawful for any person to exhibit or display publicly in this commonwealth any motion picture film unless the said film has been submitted to and approved by the commissioner. *Section 53.* The commissioner shall approve such films, or parts thereof, as are not obscene, indecent, immoral, inhuman, or such as do not tend to debase or corrupt morals or incite to crime and may disapprove such films, or parts thereof, as are obscene, indecent, immoral, inhuman, or such as tend to debase or corrupt morals or incite to crime. *Section 54.* In case any owner or lessee of a motion picture film, or the owner, manager or lessee of a motion picture establishment is aggrieved by or dissatisfied with a decision of the commissioner under the provisions of the two preceding sections, the commissioner shall within ten days of a written request therefor hold a hearing thereon, which may, in the discretion of the commissioner, be public or private. Within five days thereafter he shall affirm, modify or revoke such decision. In case such owner, manager or lessee is still aggrieved by the decision of the commissioner he may, within ten days after said decision, appeal to the superior court sitting in equity, by petition alleging that the action of the commissioner is unreasonable and not in conformity with law, and if said allegations are sustained, any justice of said court shall have power to revoke or modify such decision; otherwise the same shall be confirmed. Nothing herein contained shall be construed to deprive any person of the right to pursue any other lawful remedy. *Section 55.* The commissioner may require that all films approved under the provisions of the three preceding sections shall be appropriately stamped and designated, and that before and in connection with the public exhibition or display of the same there shall be shown upon the screen a statement of such approval in such form as the commissioner may prescribe. *Section 56.* Subject to the approval of the governor and council, the commissioner shall make and enforce such rules and regulations as he may deem

necessary to carry out the provisions of sections fifty-two to fifty-eight, inclusive. *Section 57.* A charge of two dollars shall be paid for the inspection of each reel of film or each duplicate reel of film not exceeding one thousand linear feet, and four dollars for each reel or duplicate exceeding one thousand linear feet. All money so received shall be paid into the treasury of the commonwealth. *Section 58.* For the enforcement of the provisions of sections fifty-two to fifty-seven, inclusive, all members of the department shall have authority to enter any premises where motion pictures are publicly exhibited or displayed. *Section 59.* Any person violating any provision of the seven preceding sections or any rule or regulation adopted hereunder shall be punished by a fine not exceeding fifty dollars for the first offence and not exceeding one hundred dollars for each succeeding offence.

Inspection charges.

Authority of all departmental members to enter certain premises.

Penalty.

Approved May 25, 1921.

AN ACT RELATIVE TO THE MEMBERSHIP OF STATE OFFICIALS *Chap. 439*
IN THE STATE RETIREMENT ASSOCIATION.

Be it enacted, etc., as follows:

SECTION 1. Paragraph three of section two of chapter thirty-two of the General Laws is hereby amended by adding at the end of said paragraph the following: — An official under fifty-five years of age when appointed or reappointed by the governor for a fixed term of years, may, if his sole employment is in the service of the commonwealth, become a member of the association by making written application for membership within one year from the date of his original appointment or subsequent reappointment to the same office. An official who is a member of the association shall not receive credit for any period of service which he may have rendered as an official from June first, nineteen hundred and twelve, to the date of his appointment or reappointment which immediately preceded his membership in the association.

G. L. 32, § 2, par. (3), amended.
State retirement association, membership of state officials.

Credit.

SECTION 2. Officials in the service of the commonwealth who are members of the state retirement association when this act takes effect, may, upon written application to the state board of retirement within six months after said date, withdraw their membership and their accounts in the association.

Withdrawal of state officials from membership.

Approved May 25, 1921.

Chap.440 AN ACT PROVIDING FOR PRECINCT VOTING, REPRESENTATIVE TOWN MEETINGS, TOWN MEETING MEMBERS, A REFERENDUM AND AN ANNUAL MODERATOR IN THE TOWN OF GREENFIELD.

Be it enacted, etc., as follows:

Precinct voting, representative town meetings, etc., in town of Greenfield.

SECTION 1. Upon the acceptance of this act by the town of Greenfield, as hereinafter provided, the selectmen, assessors and registrars of voters of the town, acting jointly, and hereinafter referred to as the districting board, shall forthwith divide the territory thereof into not less than six nor more than twelve voting precincts, each of which shall be plainly designated, and shall contain not less than six hundred voters. The precincts shall be so established as to consist of compact and contiguous territory, to be bounded as far as possible, by the middle line of known streets and ways or by other well defined limits. All precincts shall contain approximately an equal number of voters. Their boundaries shall be reviewed and, if need be, wholly or partly revised by the districting board, in December, once in five years, or in December of any year when so directed by a vote of a town meeting not later than November thirtieth of that year. The districting board shall, within ten days after any establishment or revision of the precincts, but not later than January tenth of the succeeding year, file a report of their doings with the town clerk, the assessors, and the registrars of voters, with a map or maps or description of the precincts and the names and residences of the registered voters therein. The districting board shall also cause to be posted in the town hall a map or maps or description of the precincts as established or revised from time to time, with the names and residences of the voters therein; and it shall also cause to be posted in at least one public place in each precinct a map or description of that precinct with the names and residences of the voters therein. The division of the town into voting precincts and any revision of such precincts shall take effect upon the date of the filing of the report thereof by the districting board with the town clerk.

Districting board to report doings, etc.

Division of town into voting precincts, date of taking effect, etc.

Town clerk to give written notice to state secretary, etc.

Whenever the precincts are established or revised, the town clerk shall forthwith give written notice thereof to the state secretary, stating the number and designation of the precincts. Meetings of the voters of the several precincts for elections, for primaries, and for voting upon any ques-

tion to be submitted to all the voters of the town, shall be held on the same day and at same hour, and at such place or places within the town as the selectmen shall in the warrant for such meeting direct. The provisions of the General Laws, relating to precinct voting at elections, so far as the same are not inconsistent with this act, shall apply to all elections and primaries in the town upon the establishment of voting precincts as hereinbefore provided.

SECTION 2. Other than the officers designated in section three as town meeting members at large, the representative town meeting membership shall in each precinct consist of the largest number divisible by three which will admit of a representation of all precincts by an equal number of members and which will not cause the total elected town meeting membership to exceed two hundred and fifty-two. The registered voters in every precinct shall, at the first annual town election held after the establishment of the precincts, and at the first annual town election following any precinct revision where the number of precincts is changed, conformably to the laws relative to elections not inconsistent with this act, elect by ballot the number of registered voters in the precinct, other than the officers designated in section three as town meeting members at large, provided for in the first sentence of this section, to be town meeting members of the town. The first third in order of votes received of members so elected shall serve three years, the second third in such order shall serve two years, and the remaining third in such order shall serve one year, from the day of the annual town meeting; in case of a tie vote affecting the division into thirds as aforesaid the members elected from the precinct shall by ballot determine the same; and thereafter, except as is otherwise provided herein, at each annual town election the registered voters of each precinct shall, in like manner, elect one third of the number of town meeting members to which that precinct is entitled for the term of three years, and shall at such election fill for the unexpired term or terms any vacancy or vacancies then existing in the number of town meeting members in their respective precincts. Upon every revision of the precincts where the number of precincts is changed, the terms of office of all town meeting members from every precinct shall cease upon the election of their successors. The town clerk shall, after every election of town meeting members, forthwith notify each member by mail of his election.

Town meeting members, election, etc.

Notice of election to members.

Town meetings limited to certain elected members and members at large, etc.

Notices of town meetings, etc.

Quorum.

Notice of adjourned town meetings to be posted, etc.

Town meetings to be public, etc.

Resignations, etc.

SECTION 3. Any representative town meeting held under the provisions of this act, except as otherwise provided herein, shall be limited to the voters elected under section two together with the following, designated as town meeting members at large; namely, any member of the general court of the commonwealth from the town, the moderator, the town clerk, the selectmen, the town treasurer, the town solicitor, the town collector of taxes, three members of the school committee, to be chosen by it, one member of the trustees of the public library, to be chosen by them, one member of the board of health, to be chosen by it, one member of the park commissioners, to be chosen by them, the tree warden, one member of the planning board, to be chosen by it, one member of the assessors of taxes, to be chosen by them, one member of the registrars of voters, to be chosen by them, one member of the overseers of the poor, to be chosen by them and three members of the finance committee, to be chosen by it. The town clerk shall notify the town meeting members of the time and place at which representative town meetings are to be held, the notices to be sent by mail at least seven days before the meeting. The town meeting members, as aforesaid, shall be the judges of the election and qualification of their members. A majority of the town meeting members shall constitute a quorum for doing business; but a less number may organize temporarily and may adjourn from time to time. Notice of every adjourned representative town meeting shall be posted by the town clerk in the town clerk's office, and said clerk shall notify by mail the members of the meeting of the adjournment at least twenty-four hours before the time of the adjourned town meeting. The notices shall state briefly the business to be acted upon at the meeting, and shall include notice of any proposed reconsideration. All town meetings shall be public. The town meeting members as such shall receive no compensation. Subject to such conditions as may be determined from time to time by the representative town meeting, any voter of the town who is not a town meeting member may speak at any representative town meeting, but shall not vote. A town meeting member may resign by filing a written resignation with the town clerk, and such resignation shall take effect on the date of such filing. A town meeting member who removes from the town shall cease to be a town meeting member and a town meeting member who removes from one precinct to another

or is so removed by a revision of precincts shall not retain membership after the next annual election.

SECTION 4. Nomination of candidates for town meeting members to be elected under this act shall be made by nomination papers, which shall bear no political designation and shall be signed by not less than twenty-five voters of the precinct in which the candidate resides, and filed with the town clerk at least ten days before the election; provided, that any town meeting member may become a candidate for re-election by giving written notice thereof to the town clerk at least twenty days before such election. No nomination paper shall be valid in respect to any candidate whose written acceptance is not thereon or attached thereto.

Nominations,
how made.

Proviso.

SECTION 5. The articles in the warrant for every town meeting, so far as they relate to the election of the moderator, town officers, and town meeting members, as hereinbefore provided, to referenda and all matters to be acted upon and determined by ballot, shall be so acted upon and determined by the voters of the town in their respective precinct meetings. All other articles in the warrant for any town meeting, beginning with the annual town meeting in the year when said town meeting members are first elected, shall be acted upon and determined exclusively by town meeting members at a meeting to be held at such time and place as shall be set forth by the selectmen in the warrant for the meeting, subject to the referendum provided for by section eight.

Warrant
articles, how
acted upon,
etc.

SECTION 6. A moderator shall be elected by ballot at each annual town meeting and shall serve as moderator of all town meetings, except as otherwise provided by law, until a successor is elected and qualified. Nominations for and election of a moderator shall be as in the case of other elective town officers, and any vacancy in the office may be filled by the town meeting members at a meeting held for that purpose. If a moderator is absent a moderator pro tempore may be elected by the town meeting members.

Moderator,
election, etc.

SECTION 7. Any vacancy in the full number of town meeting members from any precinct may be filled until the next annual election by the remaining members of the precinct from among the registered voters thereof. Upon petition therefor, signed by not less than ten town meeting members from the precinct, notices of the vacancy shall promptly be given by the town clerk to the remaining members from the precinct in which the vacancy exists, and said clerk shall call a special meeting of such members for the

Vacancies,
how filled, etc.

Notice of
meeting, etc.

Choice to be
by ballot, etc.

Disposition of
warrant articles,
etc.

Votes, when
operative.

Referendum.

purpose of filling any vacancy. The town clerk shall cause to be mailed to every such member, not less than four days before the time set for the meeting, a notice specifying the object, time and place of the meeting. At the said meeting a majority of the members shall constitute a quorum, and they shall elect from their own number a chairman and a clerk. The choice to fill any vacancy shall be by ballot, and a majority of the votes cast shall be required for a choice. The chairman and the clerk shall make a certificate of the choice and forthwith file the same with the town clerk, together with a written acceptance by the member or members so chosen, who shall thereupon be deemed elected and qualified as a town meeting member or members, subject to the right of all the town meeting members to judge of the election and qualifications of members as set forth in section three.

SECTION 8. No article in the warrant shall at any representative town meeting be finally disposed of by a vote to pass over, to lay upon the table, to indefinitely postpone or to take no action thereon. No vote passed at any representative town meeting under any article in the warrant, except a vote to adjourn, or a vote for the temporary borrowing of money in anticipation of taxes, shall be operative until after the expiration of five days, exclusive of Sundays and holidays, from the dissolution of the meeting. If, within said five days a petition, signed by not less than one hundred registered voters of the town, containing their names and addresses, as they appear on the list of registered voters, or signed by not less than fifty town meeting members, is filed with the selectmen requesting that the question or questions involved in such vote be submitted to the voters of the town at large, then the selectmen, within fourteen days after the filing of the petition, shall call a special meeting, which shall be held within ten days after the issuing of the call, for the sole purpose of presenting to the voters at large the question or questions so involved. The polls shall be opened at two o'clock in the afternoon and shall be closed not earlier than eight o'clock in the evening, and all votes upon any questions so submitted shall be taken by ballot, and the check list shall be used in the several precinct meetings in the same manner as in the election of town officers. The questions so submitted shall be determined by vote of the same proportion of voters at large voting thereon as would have been required by law of the town meeting members had the ques-

tion been finally determined at a representative town meeting. The questions so submitted shall be stated upon the ballot in the same language and form in which they were stated when presented to said representative town meeting by the moderator as appears from the records of the said meeting. If such petition is not filed within the said period of five days, the vote of the representative town meeting shall become operative upon the expiration of the said period.

Question, how stated upon ballot, etc.

SECTION 9. The town of Greenfield, after the acceptance of this act, shall have the capacity to act through and to be bound by its said town meeting members who shall, when convened from time to time as herein provided, constitute representative town meetings; and the representative town meetings shall exercise exclusively, so far as will conform to the provisions of this act, all powers vested in the municipal corporation. Action in conformity with all provisions of law now or hereafter applicable to the transaction of town affairs in town meetings shall, when taken by any representative town meeting in accordance with the provisions of this act, have the same force and effect as if such action had been taken in a town meeting, open to all the voters of the town as heretofore organized and conducted.

Action binding upon the town.

SECTION 10. This act shall not abridge the right of the inhabitants of Greenfield to hold general meetings, as that right is secured to them by the constitution of the commonwealth; nor shall this act confer upon any representative town meeting in Greenfield the power finally to commit the town to any measure affecting its municipal existence or changing its government, without action thereon by the voters of the town at large, using the ballot and the check lists therefor.

General meetings may be held.

SECTION 11. This act shall be submitted to the registered voters of the town of Greenfield at any annual or special town meeting called for the purpose. The vote shall be taken by ballot in accordance with the provisions of the General Laws, so far as the same shall be applicable, in answer to the question, which shall be placed upon the official ballot used for the election of town officers; "Shall an act passed by the general court in the year nineteen hundred and twenty-one entitled 'An Act providing for precinct voting, representative town meetings, town meeting members, a referendum and an annual moderator in the town of Greenfield' be accepted by this town?"

Act to be submitted to voters of Greenfield, etc.

Time of taking effect.

SECTION 12. So much of this act as authorizes its submission to the registered voters of the town shall take effect upon its passage, and the remainder shall take effect upon its acceptance by a majority of the voters voting thereon.

Approved May 25, 1921.

Chap. 441 AN ACT PROVIDING ASSISTANCE AND RELIEF TO NEGLECTED, DANGEROUS OR UNCONTROLLED FEEBLE-MINDED PERSONS.

Be it enacted, etc., as follows:

G. L. 123, new section after § 66.

Commitment of certain feeble-minded persons to custody of department of mental diseases, etc.

SECTION 1. Chapter one hundred and twenty-three of the General Laws is hereby amended by inserting after section sixty-six the following new section: — *Section 66A.* If an alleged feeble-minded person is found, upon examination by a physician qualified as provided by section fifty-three, to be a proper subject for commitment, the judge of probate for the county in which such person resides or is found may upon application commit him to the custody or supervision of the department of mental diseases or to a department for defective delinquents under section one hundred and thirteen. If he is committed to the custody or supervision of the department of mental diseases, the commissioner shall thereafter have power, whenever advisable, to place him in a state school for the feeble-minded or may cause an application to be made to a judge of probate for his commitment to a department for defective delinquents, as provided in section one hundred and thirteen.

G. L. 123, new sections after § 89.

Discharge of certain persons from custody of department of mental diseases, etc.

SECTION 2. Said chapter one hundred and twenty-three is hereby further amended by inserting after section eighty-nine the following new sections: — *Section 89A.* If at any time, after study and observation, the superintendent of a state school having custody of a person placed therein under section sixty-six A is of opinion that such person is not defective, or that his further detention is not required for his own or the public welfare, he shall so report to the commissioner, who may thereupon discharge such person from further care and custody; and under like circumstances the superintendent or manager of a department for defective delinquents shall so certify to the commissioner, who may thereupon recommend to the commissioner of correction that such person be discharged from such department; provided, that any parent, guardian, relative or friend of a person committed to the custody or supervision of the department

Proviso.

of mental diseases or to a department for defective delinquents may at any time file a petition for a hearing in the probate court of the county in which such person resided or was found when first committed, to establish that further custody or supervision is not required for the welfare of such person or the public; and upon payment of the necessary traveling expenses by said petitioner, from the place where such person is detained to the place of hearing, and the giving of security for the payment of necessary expenses for a return to such place of detention, if a return shall be ordered, the probate court may by order require the attendance of such person at said hearing. Upon filing with the department of mental diseases or with the commissioner of correction, as the case may be, a certified copy of said order, the commissioner of mental diseases or the commissioner of correction shall authorize and direct the attendance of such person at such hearing in compliance with the terms of said order. Notice of such hearing and proceedings thereupon shall be such as are prescribed by the court. *Section 89B.* If, at said hearing, the contention of the petitioner is sustained, the probate court may order the immediate discharge of such person and file a copy of such order with the commissioner of mental diseases or the commissioner of correction, as the case may be, and such person shall thereupon be discharged accordingly. If such contention is not sustained, such person shall be remanded to the custody or supervision of the department of mental diseases or to the department for defective delinquents; provided, that the probate court may, in lieu of such immediate discharge or remand, permit such person to remain in the custody of a relative or friend who shall give security, to be approved by the court, for his safe care and custody and for his appearance in court whenever required, until discharged or remanded as herein provided.

Attendance of person at hearing.

Probate court may order discharge of person committed, etc.

Court may remand, when.

Proviso.

Approved May 25, 1921.

AN ACT RELATIVE TO THE SALARY OF THE COMMISSIONER OF EDUCATION. Chap. 442

Be it enacted, etc., as follows:

Chapter 442, Acts of 1921.

Referendum petition filed June 23, 1921, but not completed.

See page 695.

Time of taking
effect.

SECTION 12. So much of this act as authorizes its submission to the registered voters of the town shall take effect upon its passage, and the remainder shall take effect upon its acceptance by a majority of the voters voting thereon.

Approved May 25, 1921.

Chap. 441 AN ACT PROVIDING ASSISTANCE AND RELIEF TO NEGLECTED, DANGEROUS OR UNCONTROLLED FEEBLE-MINDED PERSONS.

Be it enacted, etc., as follows:

G. L. 123, new
section after
§ 66.

Commitment
of certain
feeble-minded
persons to
custody of
department
of mental
diseases, etc.

SECTION 1. Chapter one hundred and twenty-three of the General Laws is hereby amended by inserting after section sixty-six the following new section:— *Section 66A.* If an alleged feeble-minded person is found, upon examination by a physician qualified as provided by section fifty-three, to be a proper subject for commitment, the judge of probate for the county in which such person resides or is found may upon application commit him to the custody or supervision of the department of mental diseases or to a department for defective delinquents under section one hundred and thirteen. If he is committed to the custody or supervision of the department of mental diseases, the commissioner shall thereafter have power, whenever advisable, to place him in a state school for the feeble-minded or may cause an application to be made to a judge of probate for his commitment to a department for defective delinquents, as provided in section one hundred and thirteen.

G. L. 123, new
sections after
§ 89.

Discharge of
certain persons
from custody
of department
of mental
diseases, etc.

SECTION 2. Said chapter one hundred and twenty-three is hereby further amended by inserting after section eighty-nine the following new sections:— *Section 89A.* If at any time, after study and observation, the superintendent of a state school having custody of a person placed therein under section sixty-six A is of opinion that such person is not defective, or that his further detention is not required for his own or the public welfare, he shall so report to the commissioner, who may thereupon discharge such person from further care and custody; and under like circumstances the superintendent or manager of a department for defective delinquents shall so certify to the commissioner, who may

of mental diseases or to a department for defective delinquents may at any time file a petition for a hearing in the probate court of the county in which such person resided or was found when first committed, to establish that further custody or supervision is not required for the welfare of such person or the public; and upon payment of the necessary traveling expenses by said petitioner, from the place where such person is detained to the place of hearing, and the giving of security for the payment of necessary expenses for a return to such place of detention, if a return shall be ordered, the probate court may by order require the attendance of such person at said hearing. Upon filing with the department of mental diseases or with the commissioner of correction, as the case may be, a certified copy of said order, the commissioner of mental diseases or the commissioner of correction shall authorize and direct the attendance of such person at such hearing in compliance with the terms of said order. Notice of such hearing and proceedings thereupon shall be such as are prescribed by the court. *Section 89B.* If, at said hearing, the contention of the petitioner is sustained, the probate court may order the immediate discharge of such person and file a copy of such order with the commissioner of mental diseases or the commissioner of correction, as the case may be, and such person shall thereupon be discharged accordingly. If such contention is not sustained, such person shall be remanded to the custody or supervision of the department of mental diseases or to the department for defective delinquents; provided, that the probate court may, in lieu of such immediate discharge or remand, permit such person to remain in the custody of a relative or friend who shall give security, to be approved by the court, for his safe care and custody and for his appearance in court whenever required, until discharged or remanded as herein provided.

Attendance of person at hearing.

Probate court may order discharge of person committed, etc.

Court may remand, when.

Proviso.

Approved May 25, 1921.

AN ACT RELATIVE TO THE SALARY OF THE COMMISSIONER OF EDUCATION.

Chap. 442

Be it enacted, etc., as follows:

Section two of chapter fifteen of the General Laws is hereby amended by striking out, in the fourth line, the words "seventy-five hundred" and inserting in place thereof the words: — nine thousand, — so as to read as follows: —

G. L. 15, § 2, amended.

Commissioner of education, appointment, salary, etc.

Section 2. Upon the expiration of the term of office of a commissioner, his successor shall be appointed by the governor, with the advice and consent of the council, for five years. The commissioner shall receive such salary, not exceeding nine thousand dollars, as the governor and council may determine.

Approved May 25, 1921.

Chap.443 AN ACT RELATIVE TO THE SALARY OF THE COMMISSIONER OF MENTAL DISEASES.

Be it enacted, etc., as follows:

G. L. 19, § 2, amended.

Section two of chapter nineteen of the General Laws is hereby amended by striking out, in the fourth line, the words "seventy-five hundred" and inserting in place thereof the words:—nine thousand,—so as to read as follows:—

Commissioner of mental diseases, appointment, salary, etc.

Section 2. Upon the expiration of the term of office of a commissioner, his successor shall be appointed for five years by the governor, with the advice and consent of the council. The commissioner shall receive such salary, not exceeding nine thousand dollars, as the governor and council determine, and shall be reimbursed for expenses necessarily incurred in the performance of his duties.

Approved May 25, 1921.

Chap.444 AN ACT AUTHORIZING THE NOTRE DAME DE LOURDES CREDIT UNION AND THE JEANNE D'ARC CREDIT UNION TO HOLD REAL ESTATE FOR PURPOSES OF THEIR BUSINESS.

Be it enacted, etc., as follows:

Notre Dame de Lourdes Credit Union of Lowell, and the Jeanne d'Arc Credit Union of Lowell authorized to hold real estate for their business.

The Notre Dame de Lourdes Credit Union of Lowell and the Jeanne d'Arc Credit Union of Lowell are each hereby authorized, subject to the approval of the commissioner of banks, to invest a sum not exceeding fifteen thousand dollars in the purchase of a suitable site and the erection or preparation of a suitable building for the convenient transaction of their business.

Approved May 25, 1921.

Chap.445 AN ACT AUTHORIZING THE COUNTY OF ESSEX TO PENSION T. HENRY GILBERT.

Be it enacted, etc., as follows:

Essex county commissioners may pension T. Henry Gilbert.

The county commissioners of the county of Essex may, on or before September first, nineteen hundred and twenty-one, retire T. Henry Gilbert, for twenty-five years in its

service as a fireman, who reached the age of sixty-five years on May thirteenth, nineteen hundred and twenty-one, on an annual pension equal to one half the annual compensation received by him in said capacity at the time of his retirement, payable by said county in monthly instalments.

Approved May 25, 1921.

AN ACT RELATIVE TO ALTERATIONS OF LOCATIONS OF STATE HIGHWAYS. *Chap.446*

Be it enacted, etc., as follows:

situated, and by filing a copy of the plan or location as altered in the office of the clerk of such city or town.

Approved May 25, 1921.

AN ACT RELATIVE TO THE SCHOOL COMMITTEE OF THE TOWN OF MARBLEHEAD. *Chap.447*

Be it enacted, etc., as follows:

SECTION 1. For the purpose of reducing the school committee of the town of Marblehead from nine to five members, there shall be no election of new members thereto at the annual town meeting in nineteen hundred and twenty-two, and from and after said meeting and until the annual town meeting in nineteen hundred and twenty-three, the committee shall consist of the six members whose terms have not expired. At said annual meeting in nineteen hundred and twenty-three, two new members shall be elected thereto for terms of three years as successors to the three members whose terms then expire, and from and after said meeting the committee shall consist of five members. At the annual town meeting in nineteen hundred and twenty-four, two new members shall be elected thereto for terms of three years and one new member for the term of one year as successors

Marblehead
school
committee,
number
reduced, etc.

Election of
members.

Commissioner
of education,
appointment,
salary, etc.

Section 2. Upon the expiration of the term of office of a commissioner, his successor shall be appointed by the governor, with the advice and consent of the council, for five years. The commissioner shall receive such salary, not exceeding nine thousand dollars, as the governor and council may determine.

Approved May 25, 1921.

Chap.443 AN ACT RELATIVE TO THE SALARY OF THE COMMISSIONER OF MENTAL DISEASES.

Be it enacted, etc., as follows:

Chapter 443, Acts of 1921.

Referendum petition filed June 23, 1921, but not completed.

See page 696.

mine, and shall be reimbursed for expenses necessarily incurred in the performance of his duties.

Approved May 25, 1921.

Chap.444 AN ACT AUTHORIZING THE NOTRE DAME DE LOURDES CREDIT UNION AND THE JEANNE D'ARC CREDIT UNION TO HOLD REAL ESTATE FOR PURPOSES OF THEIR BUSINESS.

Be it enacted, etc., as follows:

Notre Dame
de Lourdes
Credit Union
of Lowell, and
the Jeanne
d'Arc Credit
Union of
Lowell author-
ized to hold
real estate for
their business.

The Notre Dame de Lourdes Credit Union of Lowell and the Jeanne d'Arc Credit Union of Lowell are each hereby authorized, subject to the approval of the commissioner of banks, to invest a sum not exceeding fifteen thousand dollars in the purchase of a suitable site and the erection or preparation of a suitable building for the convenient transaction of their business.

Approved May 25, 1921.

Chap.445 AN ACT AUTHORIZING THE COUNTY OF ESSEX TO PENSION T. HENRY GILBERT.

Be it enacted, etc., as follows:

Essex county
commissioners
may pension
T. Henry
Gilbert.

The county commissioners of the county of Essex may, on or before September first, nineteen hundred and twenty-one, retire T. Henry Gilbert, for twenty-five years in its

service as a fireman, who reached the age of sixty-five years on May thirteenth, nineteen hundred and twenty-one, on an annual pension equal to one half the annual compensation received by him in said capacity at the time of his retirement, payable by said county in monthly instalments.

Approved May 25, 1921.

AN ACT RELATIVE TO ALTERATIONS OF LOCATIONS OF STATE HIGHWAYS. *Chap.446*

Be it enacted, etc., as follows:

Section six of chapter eighty-one of the General Laws is hereby amended by striking out, in the first and second lines, the words “, with the concurrence of the aldermen or selectmen,” — so as to read as follows: — *Section 6.* The division may alter the location of a state highway in a city or town by filing a plan thereof and a certificate that the division has laid out and taken charge of said state highway, as altered in accordance with said plan, in the office of the county commissioners for the county where said highway is situated, and by filing a copy of the plan or location as altered in the office of the clerk of such city or town.

G. L. 81, § 6,
amended.

Alteration of
location of
state highway,
etc.

Approved May 25, 1921.

AN ACT RELATIVE TO THE SCHOOL COMMITTEE OF THE TOWN OF MARBLEHEAD. *Chap.447*

Be it enacted, etc., as follows:

SECTION 1. For the purpose of reducing the school committee of the town of Marblehead from nine to five members, there shall be no election of new members thereto at the annual town meeting in nineteen hundred and twenty-two, and from and after said meeting and until the annual town meeting in nineteen hundred and twenty-three, the committee shall consist of the six members whose terms have not expired. At said annual meeting in nineteen hundred and twenty-three, two new members shall be elected thereto for terms of three years as successors to the three members whose terms then expire, and from and after said meeting the committee shall consist of five members. At the annual town meeting in nineteen hundred and twenty-four, two new members shall be elected thereto for terms of three years and one new member for the term of one year as successors

Marblehead
school
committee,
number
reduced, etc.

Election of
members.

to the three members whose terms then expire, and at each succeeding annual town meeting, as many members shall be elected to the committee for three years as there are vacancies to be filled.

To be submitted to voters, etc.

SECTION 2. This act shall be submitted to the voters of the town of Marblehead at a special town meeting called for the purpose in the current year and shall take effect upon its acceptance by a majority of the voters present and voting thereon.

Approved May 25, 1921.

Chap. 448 AN ACT REVIVING AND CONTINUING THE COMMISSION TO ASCERTAIN THE MOST APPROPRIATE METHODS OF CARING FOR THE GRAVES OF AMERICAN DEAD IN FOREIGN SOIL.

Be it enacted, etc., as follows:

Commission to ascertain most appropriate methods of caring for the graves of American dead in foreign soil, revived.

SECTION 1. The commission to ascertain the most appropriate methods of caring for the graves of American dead in foreign soil, appointed under the provisions of chapter six hundred and sixteen of the acts of nineteen hundred and twenty, is hereby revived and continued for the purpose of carrying out the provisions of this act.

Plans for Massachusetts battle monument at Saint Mihiel in France, etc.

SECTION 2. The commission, subject to the approval of the governor and council, may employ a competent American sculptor and a French collaborator to make necessary plans and subjects for a Massachusetts battle monument in the vicinity of the city of Saint Mihiel in France, and may, with like approval, acquire an appropriate site for such monument. The chairman of the commission and the secretary thereof shall visit the proper authorities in France for the purpose of consultation in regard to the selection of said site, and shall also investigate further the location of certain graves of soldiers not returned or identified in its report already filed with the general court.

Expenditure authorized.

SECTION 3. For the purposes of this act there may be expended, with the approval of the governor and council, such sum, not exceeding six thousand dollars, as may hereafter be appropriated.

Report to general court session of 1922.

SECTION 4. The commission shall make a report of its investigations and recommendations to the next annual session of the general court not later than the second Wednesday in January.

Approved May 25, 1921.

AN ACT ESTABLISHING THE ELIGIBILITY OF WOMEN TO CERTAIN PUBLIC OFFICES AND EMPLOYMENTS. *Chap. 449*

Be it enacted, etc., as follows:

SECTION 1. Section twelve of chapter fifteen of the General Laws is hereby amended by striking out, in the second line, the words “, who may be a woman,”, so as to read as follows:— *Section 12.* The division of immigration and Americanization shall consist of a director and an advisory board of six persons. Upon the expiration of the term of office of a director of the division, his successor shall be appointed for five years by the governor, with the advice and consent of the council. Two members of the advisory board shall be appointed annually for three years each, by the governor, with like advice and consent. Said board shall meet at least once a month, and at such other times as it may determine by rule and when requested by the director or by any three members. The director and members of said board shall receive no compensation for their services, but shall be reimbursed for their actual necessary expenses incurred in the performance of their duties.

G. L. 15, § 12,
amended.

Division of
immigration
and American-
ization,
organization.

SECTION 2. Section six of chapter nineteen of the General Laws is hereby amended by striking out, in the third, fourth and fifth lines, the words “, five men and two women; provided, that the board of trustees of the Norfolk state hospital shall consist of seven men” and inserting in place thereof the words: — ; provided, that at least two of such members shall be women, except in the case of the Norfolk state hospital, — so as to read as follows:— *Section 6.* The board of trustees for each of the institutions mentioned in the preceding section, except the Massachusetts School for the Feeble-Minded, shall consist of seven members; provided, that at least two of such members shall be women, except in the case of the Norfolk state hospital. One member of each board, except as aforesaid, shall annually in January be appointed for seven years from the first Wednesday of the following February by the governor, with the advice and consent of the council. The board of trustees of the Massachusetts School for the Feeble-Minded shall consist of six members on the part of the commonwealth, one of whom shall annually be appointed for six years by the governor, with the advice and consent of the council, and of six members to be elected by the school, subject to the approval of the

G. L. 19, § 6,
amended.

Department
of mental
diseases,
Boards of
trustees of
public
institutions.
Proviso.

governor and council. All the above trustees shall serve without compensation, but shall be reimbursed for all expenses incurred in the performance of their duties.

G. L. 30, new section after § 7.

Women made eligible to all state offices, etc., except, etc.

SECTION 3. Chapter thirty of the General Laws is hereby amended by inserting after section seven the following new section: — *Section 7A.* Women shall be eligible to election or appointment to all state offices, positions, appointments and employments, except those from which they may be excluded by the constitution of the commonwealth. This section shall not prevent heads of departments or officers from making requisition for male officers or employees for various positions which require special qualification of sex nor shall the commissioner of civil service be restricted from recognizing any special qualification of sex stated in requisitions made to him.

G. L. 34, new section after § 3.

Women made eligible to all county offices, etc., except, etc.

SECTION 4. Chapter thirty-four of the General Laws is hereby amended by inserting after section three the following new section: — *Section 3A.* Women shall be eligible to election or appointment to all county offices, positions, appointments and employments, except those from which they may be excluded by the constitution of the commonwealth.

Approved May 25, 1921.

Chap. 450 AN ACT RELATIVE TO THE LICENSING BOARD OF THE CITY OF LYNN.

Be it enacted, etc., as follows:

Lynn licensing board, powers, duties, etc.

SECTION 1. So much of section eight of chapter one hundred and thirty-eight of the General Laws as provides that whenever a city shall not vote to authorize the granting of licenses for the sale of certain non-intoxicating beverages the powers and duties of its licensing board in respect to third and fourth class licenses and licenses of innholders and common victuallers shall vest in its aldermen, shall not apply to the city of Lynn, and the licensing board of said city, and its successors in office, shall be vested with all the powers and duties exercised by licensing boards in cities that vote to grant licenses under the provisions of said chapter one hundred and thirty-eight, notwithstanding any vote of said city not to grant such licenses. Except as herein otherwise provided, sections four to nine, inclusive, of said chapter one hundred and thirty-eight shall continue to apply to said city.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to city council, etc.
Proviso.

Approved May 25, 1921.

AN ACT RELATIVE TO THE ESTABLISHMENT OF A PUBLIC RESERVATION AT GOOD HARBOR BEACH IN THE CITY OF GLOUCESTER. Chap. 451

Be it enacted, etc., as follows:

SECTION 1. The division of waterways and public lands of the department of public works and the county commissioners of the county of Essex are hereby constituted a joint board, and, for the purpose of establishing a public reservation, may take from time to time in fee or otherwise, by purchase, gift or devise, in the name and for the benefit of the commonwealth, so much of Good Harbor Beach, so-called, in the city of Gloucester, and such adjacent lands, waters and rights therein, as said joint board may deem necessary to effect the aforesaid purpose.

Public reservation at Good Harbor Beach, in Gloucester, established.

SECTION 2. Said joint board shall have the management and control of the property acquired under this act, shall fix and mark the bounds thereof and from time to time carry out such work of improvement and development and provide and maintain such accommodations as in its opinion are necessary. It shall also make rules and regulations, and enforce the same, for the use, protection and policing of said reservation.

Management, control, etc.

SECTION 3. For the purpose of meeting the cost of acquisition of land and property rights under this act said joint board may expend, after an appropriation has been made, and subject to the conditions thereof, a sum not exceeding one thousand dollars, of which sum fifty per cent shall be paid by the commonwealth and fifty per cent by the county of Essex. The expense of improving and maintaining said reservation shall be paid by the county of Essex, and said county may raise by taxation such amount as may be necessary to carry out the purposes of this act.

Payment of cost of acquiring land, etc.

Approved May 25, 1921.

Chap.452 AN ACT TO RENDER UNENFORCEABLE STIPULATIONS IN
LEASES PROVIDING FOR A RAISE IN RENT BECAUSE OF AN
INCREASE IN THE TENANT'S FAMILY.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is declared to be an emergency measure, necessary for the preservation of the public health and convenience.

Be it enacted, etc., as follows:

1920, 578,
new section
after § 1.

Certain raise
in tenant's
rent, when
unenforceable.

Chapter five hundred and seventy-eight of the acts of nineteen hundred and twenty is hereby amended by inserting after section one the following new section: — *Section 1A.* A stipulation or condition in a lease or contract of hiring of premises to which section one applies whereby the rent shall or may be raised because of an increase in the number of the lessee's family shall, in case such raise in rent is due to the birth or adoption of a child or children, be deemed unjust, unreasonable and oppressive within the meaning of said section.

Approved May 26, 1921.

Chap.453 AN ACT AUTHORIZING THE CITY OF BEVERLY TO INCUR IN-
DEBTEDNESS FOR A HIGH SCHOOL BUILDING.

Be it enacted, etc., as follows:

Beverly may
borrow for
high school
purposes.

SECTION 1. For the purpose of purchasing or otherwise acquiring land for a high school, and for the original construction of a high school building, including the original equipment and furnishing of the same, the city of Beverly may from time to time borrow such sums as may be necessary, not exceeding in the aggregate seven hundred and fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Beverly High School Loan, Act of 1921. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall otherwise be subject to chapter forty-four of the General Laws.

Beverly High
School Loan,
Act of 1921.

SECTION 2. This act shall take effect upon its passage.

Approved May 26, 1921.

AN ACT TO INCORPORATE THE BOARD OF MISSIONS OF THE
PROTESTANT EPISCOPAL CHURCH FOR THE DIOCESE OF
WESTERN MASSACHUSETTS. *Chap. 454*

Be it enacted, etc., as follows:

SECTION 1. Thomas F. Davies of Springfield, Arthur Chase of Ware, Franklin Knight of Holyoke, Henry A. Field of Springfield, Everett Kimball of Northampton, Stephen E. Keeler of Pittsfield, Willard E. Hoyt of Williamstown, and Charles L. Nichols of Worcester and their successors, are hereby made a corporation under the name of the Board of Missions of the Protestant Episcopal Church for the Diocese of Western Massachusetts, for the purpose of conducting missionary operations within the commonwealth. Nothing herein shall affect the power of the Convention of the Protestant Episcopal Church in the Diocese of Western Massachusetts to make such rules and regulations, or so to alter or amend the constitution of the said board, as the said convention shall deem necessary or proper to promote the purposes for which said board is incorporated as aforesaid.

Board of
Missions of the
Protestant
Episcopal
Church for the
Diocese of
Western
Massachusetts,
incorporated.

SECTION 2. For the object designated in the first section of this act generally, or for any purposes connected with such object, the said corporation shall have power from time to time to purchase, take by gift, grant, devise or bequest, and hold real and personal estate, to an amount not exceeding five hundred thousand dollars, and to sell, lease or otherwise dispose of the same.

Real and
personal estate.

SECTION 3. The said corporation shall possess the general powers and privileges, and be subject to the duties, restrictions and liabilities, contained in all general laws which now or hereafter may be in force and applicable to such corporation.

Powers,
duties, etc.

Approved May 26, 1921.

AN ACT RELATIVE TO THE POSTPONEMENT OF JURY SERVICE. *Chap. 455*

Be it enacted, etc., as follows:

SECTION 1. Chapter two hundred and thirty-four of the General Laws is hereby amended by inserting after section three the following new section: — *Section 3A.* The presiding justice at a sitting of the court with juries may, in his discretion, postpone the whole or any part of the time of service of a juror to a later day during the same or a subsequent sitting; and the presiding justice may thereupon make

G. L. 234, new
section after
§ 3.

Postponement
of jury
service, etc.

an order that such juror whose term of service is so postponed to a day certain, shall attend at the opening of the court on that day, and thereafter, until he is discharged from such service. But no such juror whose term of service or part thereof is postponed shall be required to serve for a greater number of days than he would have been required to serve if such postponement had not been granted.

G. L. 234, § 3,
amended.

Limit of jury
service in
Suffolk county.

When act
takes effect.

SECTION 2. Section three of said chapter two hundred and thirty-four is hereby amended by inserting at the beginning thereof the words: — Except as provided in section three A, — so as to read as follows: — *Section 3.* Except as provided in section three A, a person shall not serve as a traverse juror in Suffolk county more than thirty days at any sitting of the court, except to finish a case commenced within that time, nor in the trial of criminal cases at more than one sitting thereof during the year.

SECTION 3. This act shall take effect on the first Tuesday of September in the year nineteen hundred and twenty-one.

Approved May 26, 1921.

Chap. 456 AN ACT APPROVING THE ACQUISITION BY THE UNITED STATES OF AMERICA OF A TRACT OF LAND SITUATED IN THE COUNTIES OF MIDDLESEX AND WORCESTER, KNOWN AS CAMP DEVENS, AND CEDING JURISDICTION THEREOVER.

Be it enacted, etc., as follows:

Acquisition of
Camp Devens
by the United
States of
America
approved.

SECTION 1. The consent of the commonwealth of Massachusetts is hereby granted to the United States of America to acquire by purchase or condemnation a certain tract of land situated in the townships of Shirley and Ayer, county of Middlesex, and the townships of Lancaster and Harvard, county of Worcester, known as Camp Devens, a more particular description and plan whereof is on file in the office of the state secretary, excepting and reserving from said tract of land all state, county, city and town public highways and all land over which any street railway company or any railroad company now has a right of way, a more particular description whereof is now on file in the office of the state secretary.

Certain
jurisdiction
granted to
United States
of America.

SECTION 2. Jurisdiction over the said land is hereby granted and ceded to the United States of America, but upon the express condition that the commonwealth of Massachusetts shall retain concurrent jurisdiction with the United States of America in and over the land so acquired, in so

far that all civil processes, and such criminal processes as may issue under the authority of this commonwealth against any person or persons charged with crimes, may be executed thereon in the same manner as though this consent and cession had not been granted; provided, that the exclusive jurisdiction shall revert to and revest in the commonwealth whenever the area so acquired shall cease to be used for purposes of national defence. *Approved May 26, 1921.*

Proviso.

AN ACT AUTHORIZING THE CITY OF LAWRENCE TO INCUR INDEBTEDNESS FOR HIGH SCHOOL PURPOSES. *Chap.457*

Be it enacted, etc., as follows:

SECTION 1. For the purpose of acquiring land for and the construction of a high school building or an addition to the present high school building, and of originally equipping and furnishing the same, the city of Lawrence may from time to time borrow such sums as may be necessary not exceeding, in the aggregate, seven hundred and seventy-five thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Lawrence High School Loan, Act of 1921. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall otherwise be subject to chapter forty-four of the General Laws.

Lawrence may borrow for high school purposes.

Lawrence High School Loan, Act of 1921.

SECTION 2. This act shall take effect upon its passage. *Approved May 27, 1921.*

AN ACT AUTHORIZING THE TOWN OF WAKEFIELD TO PAY A SUM OF MONEY TO THE MOTHER OF JAMES ARTHUR PRESTON. *Chap.458*

Be it enacted, etc., as follows:

SECTION 1. The town of Wakefield, acting through its board of selectmen, is hereby authorized to pay the sum of four thousand dollars to Mary Preston, the mother of James Arthur Preston, who was killed while in the performance of his duty as a police officer of said town, the town having voted, at a town meeting held May ninth, nineteen hundred and twenty-one, to petition the general court for said authority.

Wakefield may pay sum of money to mother of James Arthur Preston.

SECTION 2. This act shall take effect upon its passage. *Approved May 27, 1921.*

Chap. 459 AN ACT RELATIVE TO THE ASSIGNMENT OF QUARTERS IN THE STATE HOUSE FOR THE USE OF THE MASSACHUSETTS DEPARTMENT OF THE VETERANS OF FOREIGN WARS.

Be it enacted, etc., as follows:

G. L. 8, § 17,
amended.

Rooms in
state house
for the several
departments of
war veterans,
etc.

SECTION 1. Chapter eight of the General Laws is hereby amended by striking out section seventeen and inserting in place thereof the following: — *Section 17.* There shall be set apart suitably furnished rooms in the state house for the use of the Grand Army of the Republic of the department of Massachusetts and the Massachusetts department of The American Legion, respectively, and there may be assigned by the superintendent, with the approval of the governor and council, certain spaces in the state house, suitably furnished, for the use of the Massachusetts department of the United Spanish War Veterans, and temporary locations for the Massachusetts department of the Veterans of Foreign Wars shall be assigned by the superintendent within the rooms or spaces set apart for the Massachusetts department of The American Legion, such rooms or spaces to be under the charge of the state commanders of the respective departments, subject to this chapter. The headquarters thus established for the first named department shall be used for storing its supplies and property, relics and mementos of the war of the rebellion and for arranging and preserving the history of persons who served in the army, navy or marine corps during such war in organizations of the commonwealth, or of citizens of the commonwealth who served in the regular army, navy or marine corps of the United States, which said department may collect and desire to preserve. The headquarters thus established for each of the other departments shall be used for storing and preserving the records and other property of the department and relics and mementos of the world war and Spanish war.

G. L. 8, § 18,
amended.

Histories, etc.,
accessibility.

SECTION 2. Said chapter eight is hereby further amended by striking out section eighteen and inserting in place thereof the following: — *Section 18.* The histories, relics and mementos of the Grand Army of the Republic of the department of Massachusetts and the records of the Massachusetts department of the United Spanish War Veterans, of The American Legion and of the Veterans of Foreign Wars shall be accessible at all times, under suitable rules and regulations, to members of the respective departments and to others en-

gaged in collecting historical information. Whenever any such department ceases to exist, its records, papers, relics and other effects shall become the property of the commonwealth.

Records to
revert, when.

Approved May 27, 1921.

AN ACT RELATIVE TO CERTAIN BENEFITS UNDER THE STATE
TEACHERS' RETIREMENT LAWS.

Chap. 460

Be it enacted, etc., as follows:

The provisions of section ten of chapter thirty-two of the General Laws shall hereafter apply to all members of the state teachers' retirement association irrespective of the date of retirement; provided, that in no case shall the present pension of a retired teacher be reduced.

State teachers'
retirement
laws, certain
benefits under.

Proviso.

Approved May 27, 1921.

AN ACT PROVIDING FOR ADDITIONAL APPOINTMENTS IN THE
DIVISION OF STATE POLICE OF THE DEPARTMENT OF
PUBLIC SAFETY.

Chap. 461

Be it enacted, etc., as follows:

Chapter twenty-two of the General Laws is hereby amended by inserting after section nine the following new section:— *Section 9A.* Whenever the governor shall deem it necessary to provide more effectively for the protection of persons and property and for the maintenance of law and order in the commonwealth, he may authorize the commissioner to make additional appointments not exceeding fifty in number to the division of state police, together with such other employees as the governor may deem necessary for the proper administration thereof. The appointment of the additional officers herein provided for shall be by enlistment for terms not exceeding three years, and such appointees shall be exempt from the requirements of civil service law and rules. Said additional officers shall have and exercise within the commonwealth all the powers of constables, except the service of civil process, and of police officers and watchmen. The commissioner may, subject to the approval of the governor, make rules and regulations for said additional force, including matters pertaining to their discipline, organization and government, compensation and equipment, and means of swift transportation; provided, that said force shall not be used or called upon for service in any industrial dispute, unless actual violence has occurred therein, and then only by order of the governor or the person acting

G. L. 22, new
section after
§ 9.

Department of
public safety,
constabulary,
appointment,
etc.

Rules and
regulations.

Proviso.

Discipline, etc.

in his place. Any member of said force violating any of the rules or regulations for said force shall be subject to discipline or discharge in accordance with said rules and regulations. The commissioner may expend annually for the expenses of administration, organization, government, training, compensation, equipment and maintenance such amount as the general court may appropriate. *Approved May 27, 1921.*

Chap. 462 AN ACT ACCEPTING THE PROVISIONS OF AN ACT OF CONGRESS RELATIVE TO THE PROMOTION OF VOCATIONAL REHABILITATION AND PROVIDING FOR CO-OPERATION WITH THE FEDERAL GOVERNMENT IN RELATION THERETO.

Be it enacted, etc., as follows:

Certain act
of Congress
accepted.

SECTION 1. The commonwealth of Massachusetts hereby accepts the provisions of the act of congress approved June second, nineteen hundred and twenty, entitled "An Act to provide for the promotion of vocational rehabilitation of persons disabled in industry and otherwise and their return to civil employment."

G. L. 15, new
section after
§ 6.
State Board
for Vocational
Education,
established, etc.

SECTION 2. Chapter fifteen of the General Laws is hereby amended by inserting after section six the following new section:— *Section 6A.* The commissioner and the advisory board of education are hereby constituted and designated as the state board for vocational education to co-operate with the federal board for vocational education in the administration of the act of congress approved June second, nineteen hundred and twenty, entitled "An Act to provide for the promotion of vocational rehabilitation of persons disabled in industry and otherwise and their return to civil employment" and to secure for the commonwealth the benefits thereof. For the purpose of carrying out the provisions of section twenty-two A of chapter seventy-four the said state board for vocational education shall be furnished with suitable quarters in the state house and may expend for salaries and other necessary expenses such amount as shall annually be appropriated therefor by the general court, together with any funds received by the state treasurer from the federal government under the provisions of said act.

G. L. 74, § 20,
amended.

State treasurer
to be custodian
of certain
funds.

SECTION 3. Chapter seventy-four of the General Laws is hereby amended by striking out section twenty and inserting in place thereof the following:— *Section 20.* The state treasurer shall be custodian of funds allotted to the commonwealth from appropriations made under the acts of congress

mentioned in the preceding section and in section six A of chapter fifteen. The funds so allotted from appropriations under the act of congress mentioned in said section six A shall be expended, without specific appropriation, under the order or the approval of the commissioner and the advisory board of education, constituting the state board for vocational education.

SECTION 4. Section twenty-one of said chapter seventy-four is hereby amended by inserting after the word "congress", in the second line, the words: — mentioned in section nineteen, — so as to read as follows: — *Section 21.* Subject to the following section, the funds received under said act of congress mentioned in section nineteen shall be paid out, on requisition of the commissioner, as reimbursement for expenses already incurred, to approved schools and classes entitled to receive them under said act.

G. L. 74, § 21,
amended.

Disposal of
federal funds.

SECTION 5. Section twenty-two of said chapter seventy-four is hereby amended by inserting after the word "congress", in the second line, the words: — mentioned in section nineteen, — so that the first sentence will read as follows: — *Section 22.* The commissioner may use the funds received under said act of congress mentioned in section nineteen as supplementary to state aid for salaries of teachers of vocational subjects in schools complying therewith.

G. L. 74, § 22,
amended.

Powers of
commissioner
in disposal of
federal funds.

SECTION 6. Said chapter seventy-four is hereby amended by inserting after section twenty-two the following new section: — *Section 22.1.* The state board for vocational education, established by section six A of chapter fifteen, is hereby directed to co-operate with the federal board for vocational education in carrying out the provisions of the act of congress mentioned in said section six A; to establish and maintain, or to assist in establishing or maintaining, such courses of vocational training as it may deem advisable and necessary for the vocational rehabilitation of persons disabled in industry or otherwise; to grant federal funds in its control, subject to conditions prescribed by it, as money supplementary to state aid, in the maintenance of vocational rehabilitation courses in schools or institutions supported wholly or in part by the commonwealth; to establish and maintain under its supervision such courses as it may deem advisable for the preparation of instructors of vocational rehabilitation courses; to appoint such agents and assistants as may be necessary to administer the provisions of this section and said act of congress in this commonwealth; to fix

G. L. 74, new
section after
§ 22.

State board of
vocational
education,
powers,
duties, etc.

the compensation of such agents and assistants and to direct the disbursement and administer the use of all funds provided by the federal government and this commonwealth for the vocational rehabilitation of such persons, and in conjunction with the department of industrial accidents to formulate a plan of co-operation in accordance with the provisions of said act of congress, such plan to become effective when approved by the governor.

G. L. 152, § 4,
amended.

SECTION 7. Section four of chapter one hundred and fifty-two of the General Laws is hereby amended by striking out all after the word "report", in the first line, so as to read as follows:— *Section 4.* The department shall make an annual report.

Annual report.

Repeals.

SECTION 8. Sections eight and nine of chapter twenty-four and section three of chapter one hundred and fifty-two of the General Laws are hereby repealed.

Expenditure
for ensuing
year.

SECTION 9. For the ensuing year there may be expended for the purposes of carrying out the provisions of this act, subject to appropriation by the general court, a sum not exceeding ten thousand dollars. *Approved May 27, 1921.*

Chap. 463 AN ACT RELATIVE TO THE EDUCATIONAL REQUIREMENTS OF CERTAIN MINORS AS AFFECTING SCHOOL ATTENDANCE.

Be it enacted, etc., as follows:

G. L. 76, § 1,
amended.

Section one of chapter seventy-six of the General Laws is hereby amended by striking out, in the second and third lines, the words "possess such ability to read, write and spell in English as is required" and inserting in place thereof the following:— meet the requirements, — so as to read as follows:— *Section 1.* Every child between seven and fourteen, every child under sixteen who does not meet the requirements for the completion of the sixth grade of the public schools of the town where he resides, and every child under sixteen except a child holding an employment certificate as provided in chapter one hundred and forty-nine and employed in some regular employment or business for at least six hours per day, and except a child having the written permission of the superintendent of schools of the town where he resides to engage in profitable employment at home, shall, subject to section fifteen, attend a public day school in said town or some other day school approved by the school committee, during the entire time the public schools are in session, unless the child attends school in another town, during the entire

Educational
requirements
of certain
minors as
affecting school
attendance.

time the same is in session, under sections six to twelve, inclusive, or under chapter seventy-one; but such attendance shall not be required of a child whose physical or mental condition is such as to render attendance inexpedient or impracticable, or who is being otherwise instructed in a manner approved in advance by the superintendent or the school committee. The superintendent, or teachers in so far as authorized by him or by the school committee, may excuse cases of necessary absence for other causes not exceeding seven day sessions or fourteen half day sessions in any period of six months. For the purposes of this section, school committees shall approve a private school only when the instruction in all the studies required by law is in English, and when satisfied that such instruction equals in thoroughness and efficiency, and in the progress made therein, that in the public schools in the same town; but they shall not withhold such approval on account of religious teaching.

Approval of private schools by school committees, etc.

The school committee of each town shall provide for and enforce the school attendance of all children actually residing therein in accordance herewith. *Approved May 27, 1921.*

Enforcement, etc.

AN ACT RELATIVE TO CLERICAL ASSISTANCE FOR THE MUNICIPAL COURT OF THE ROXBURY DISTRICT OF THE CITY OF BOSTON.

Chap. 464

Be it enacted, etc., as follows:

SECTION 1. Chapter two hundred and eighteen of the General Laws is hereby amended by inserting after section seventy-one B the following new section: — *Section 71C.* Upon the certificate of the justice and the clerk of the municipal court of the Roxbury district, that extra clerical assistance was actually performed and was necessary, stating the names of the persons by whom it was performed and the time occupied, the clerk shall be allowed such amounts as the mayor of the city of Boston may approve; provided, that if an increase in such assistance is desired, such approval shall be secured before any expense therefor is incurred. Said amount shall be paid by the county of Suffolk monthly to the persons employed. The provisions of section seventy-three shall not apply to said court.

G. L. 218, new section after § 71B. Clerical assistance for Roxbury municipal court of Boston.

Proviso.

SECTION 2. This act shall take effect upon its approval by the mayor of the city of Boston; provided that such approval occurs prior to December thirty-first in the current year.

To be submitted to the mayor of Boston. Proviso.

Approved May 27, 1921.

Chap. 465 AN ACT RELATIVE TO CLERICAL ASSISTANCE FOR THE MUNICIPAL COURT OF THE BRIGHTON DISTRICT OF THE CITY OF BOSTON AND FOR THE CENTRAL DISTRICT COURT OF WORCESTER.

Be it enacted, etc., as follows:

G. L. 218, § 71,
amended.

SECTION 1. Chapter two hundred and eighteen of the General Laws is hereby amended by striking out section seventy-one and inserting in place thereof the following: —

Clerical assistance for central district court of Worcester.

Section 71. Upon the certificate of the justice and the clerk of the central district court of Worcester that extra clerical assistance was actually performed and was necessary, stating the names of the persons by whom it was performed and the time occupied, the clerk shall be allowed such amounts as the county commissioners of the county of Worcester may approve; provided, that if an increase in such assistance is desired, such approval shall be secured before any expense therefor is incurred. Said amount shall be paid by the county monthly to the persons employed. The provisions of section seventy-three shall not apply to said court.

Proviso.

G. L. 218,
new section
after § 71C.

SECTION 2. Said chapter two hundred and eighteen is hereby further amended by inserting after section seventy-one C the following new section: — *Section 71D.* Upon the certificate of the justice and the clerk of the municipal court of the Brighton district, that extra clerical assistance was actually performed and was necessary, stating the names of the persons by whom it was performed and the time occupied, the clerk shall be allowed such amounts as the mayor of the city of Boston may approve; provided, that if an increase in such assistance is desired, such approval shall be secured before any expense therefor is incurred. Said amount shall be paid by the county of Suffolk monthly to the persons employed. The provisions of section seventy-three shall not apply to said court.

Clerical assistance for municipal court of Brighton district in Boston.

Proviso.

Section 1 to be submitted to Worcester County commissioners; § 2 to Boston city council.

SECTION 3. Section one shall take effect upon its acceptance, prior to December thirty-first in the current year, by the county commissioners of the county of Worcester, and section two shall take effect upon its acceptance, prior to said December thirty-first, by vote of the city council of the city of Boston, subject to the provisions of its charter.

Approved May 27, 1921.

AN ACT PROVIDING FOR THE TRANSFER FROM THE SUPERIOR TO THE PROBATE COURT OF CERTAIN LIBELS FOR DIVORCE. Chap. 466

Be it enacted, etc., as follows:

SECTION 1. Section six of chapter two hundred and eight of the General Laws is hereby amended by inserting before the word "Libels", in the first line, the words: — Except as hereinafter provided, — so as to read as follows: — *Section 6.* Except as hereinafter provided, libels for divorce shall be filed, heard and determined in the superior court held for the county where one of the parties lives, except that, if the libellant has left the county where the parties lived together and the libellee still lives therein, the libel shall be heard and determined in the court held for that county.

G. L. 208, § 6, amended.

Venue of libel.

SECTION 2. Said chapter two hundred and eight is hereby further amended by inserting after section nine the following new section: — *Section 9A.* Any divorce case in which the libellee has not filed an appearance within the time limited by statute or by the rules of the superior court shall, upon motion of the libellant, be transferred to the probate court of the county where such case is entered, and thereafter the probate court shall have jurisdiction, exclusive of the superior court, of all questions arising in such case and shall have therein all the powers of the superior court in divorce cases, and the parties shall have the same rights in the probate court as they would have had in the superior court.

G. L. 208, new section after § 9.

Transfer of libel to probate court, etc.

SECTION 3. Section three of chapter two hundred and fifteen of the General Laws is hereby amended by inserting after the word "names", in the eighth line, the following words: — ; of divorce cases transferred from the superior court under the provisions of section nine A of chapter two hundred and eight, — so as to read as follows: — *Section 3.* Probate courts shall have jurisdiction of probate of wills, of granting administration on the estates of persons who at the time of their decease were inhabitants of or residents in their respective counties and of persons who die out of the commonwealth leaving estate to be administered within their respective counties; of the appointment of guardians and conservators; of all matters relative to the estates of such deceased persons and wards; of petitions for the adoption of children, and for change of names; of divorce cases transferred from the superior court under the provisions of section

G. L. 215, § 3, amended.

Probate courts. Jurisdiction in general.

nine A of chapter two hundred and eight; and of such other matters as have been or may be placed within their jurisdiction.

Time of taking effect.

SECTION 4. This act shall take effect January first, nineteen hundred and twenty-two. *Approved May 27, 1921.*

Chap. 467 AN ACT RELATIVE TO CERTIFICATES OF REGISTRATION TO HUNT, TRAP AND FISH.

Be it enacted, etc., as follows:

G. L. 131, § 3, amended.

Registration of hunters, trappers and fishermen.

Proviso.

Legal resident not prohibited.

Proviso.

G. L. 131, § 4, amended.

Certificates of registration, form, term, etc.

SECTION 1. Chapter one hundred and thirty-one of the General Laws is hereby amended by striking out section three and inserting in place thereof the following: — *Section 3.* Except as provided in sections forty-four, forty-nine, sixty-two, eighty-two or eighty-three, no person shall hunt, pursue, take or kill any bird or quadruped, or shall fish, except as hereinafter provided, in any of the inland waters of the commonwealth stocked by the director or his predecessors since January first, nineteen hundred and ten, without first having obtained a certificate of registration authorizing him so to do, as provided in the following sections; provided, that nothing in sections three to fourteen, inclusive, shall be construed as affecting in any way the general laws relating to trespass, or as authorizing the hunting, pursuing, taking, wounding or killing, or the possession of, birds or quadrupeds, contrary to law, or the taking of fish, or the possession thereof, contrary to law. But said sections shall not prohibit any person who is a legal resident of the commonwealth from hunting or trapping on land owned or leased by him or from fishing in any inland waters bordered by such land; provided, that he is actually domiciled thereon, and that the land is used exclusively for agricultural purposes, and not for club, shooting or fishing purposes.

SECTION 2. Said chapter one hundred and thirty-one is hereby further amended by striking out section four and inserting in place thereof the following: — *Section 4.* Upon the application of any person entitled to receive a certificate of registration to hunt, trap and fish, hereinafter called a combination certificate of registration, or a certificate of registration to hunt and trap or to fish, and upon payment of the registration fee hereinafter specified and the furnishing of an affidavit by any non-resident desiring to be classified under clause one, two or three of section nine, the clerk of any town shall register and issue to such person a combination certifi-

cate of registration, or a certificate of registration to hunt and trap or to fish, as the case may be, in the form prescribed upon a blank furnished by the division. A combination certificate of registration shall authorize the person so registered to hunt birds, to hunt and trap quadrupeds and to fish, subject to existing laws. A certificate of registration to hunt and trap shall authorize the person so registered to hunt birds and to hunt and trap quadrupeds, subject to existing laws. A certificate of registration to fish shall authorize the person so registered to fish, subject to existing laws. Each certificate issued hereunder shall bear the name, age, occupation, place of residence, signature and identifying description of the person so registered, shall be valid for use to and including the following December thirty-first, shall not be transferable and shall be produced for examination upon the demand of any person. Failure or refusal to produce a certificate issued hereunder upon such demand shall be prima facie evidence of the violation of sections three to fourteen, inclusive.

SECTION 3. Said chapter one hundred and thirty-one is hereby further amended by striking out section six and inserting in place thereof the following: — *Section 6.* Except as herein provided, a citizen of the United States may be granted a combination certificate of registration or a certificate of registration to hunt and trap, and an unnaturalized foreign born resident owning real estate in the commonwealth assessed for taxation at not less than five hundred dollars may be granted a certificate of registration to hunt and trap. No combination certificate of registration or certificate of registration to hunt and trap shall be granted to minors under the age of fifteen, nor, as a matter of right, to minors between the ages of fifteen and eighteen, but any town clerk may, upon payment to him of a fee of twenty-five cents, issue a certificate to any minor between the ages of twelve and eighteen who is a citizen of the United States authorizing him to take wild quadrupeds by trap only, in conformity with law. Every application hereunder from a minor under the age of eighteen shall be in writing and shall be accompanied by the written consent thereto of the parent or guardian, which shall be preserved by the clerk. Any citizen of the United States, or any unnaturalized foreign born resident who is qualified as aforesaid or who has made the primary declaration of intention to become a citizen of the United States, may be granted a certificate of registration

G. L. 131, § 6,
amended.

Combination
certificate of
registration to
citizens, etc.

To minors, etc.

Proviso.

to fish; provided, that any citizen of the United States under the age of eighteen may fish without such certificate.

G. L. 131, § 7,
amended.

Registration
fees for certain
unnaturalized
foreign-born
persons for
certificate.

SECTION 4. Said chapter one hundred and thirty-one is hereby further amended by striking out section seven and inserting in place thereof the following: — *Section 7.* An unnaturalized foreign born resident entitled under the preceding section to a certificate of registration to hunt and trap shall pay therefor a fee of fifteen dollars to the clerk of the town where he resides. An unnaturalized foreign born resident entitled under the preceding section to a certificate of registration to fish shall pay therefor a fee of two dollars to the clerk or deputy registrar in the town where he resides.

G. L. 131, § 8,
amended.

Registration
fees for citizens.

SECTION 5. Said chapter one hundred and thirty-one is hereby further amended by striking out section eight and inserting in place thereof the following: — *Section 8.* Every citizen of the United States who has been a resident of the commonwealth for six months next prior to the date of his application for a certificate of registration shall pay as fees therefor to the clerk of the town from whom he secures the certificate, for a combination certificate of registration two dollars, and for a certificate of registration to hunt and trap one dollar and fifty cents; and for a certificate of registration to fish he shall pay to the clerk or deputy registrar a fee of one dollar.

G. L. 131, § 9,
amended.

Registration
fees for non-
residents.

SECTION 6. Section nine of said chapter one hundred and thirty-one is hereby amended by striking out the first paragraph and inserting in place thereof the following: — *Section 9.* Every citizen of the United States, not being a resident of the commonwealth or not having resided therein for a period of six months next preceding his application for a certificate of registration, shall pay for a combination certificate of registration or for a certificate of registration to hunt and trap a fee of ten dollars to the clerk of the town from whom he procures his certificate, except that, if he desires a certificate to fish only, he shall pay to the clerk or deputy registrar two dollars, or, if he comes within one of three following classes and resides in a state extending similar exemption to citizens of this commonwealth, he shall pay the fee required by section eight.

G. L. 131, § 13,
amended.

Non-resident
licensees en-
titled to carry
game from the
commonwealth.

SECTION 7. Said chapter one hundred and thirty-one is hereby further amended by striking out section thirteen and inserting in place thereof the following: — *Section 13.* A non-resident combination certificate of registration shall entitle the holder thereof to carry in any one year from the

commonwealth into any state according similar privileges not more than ten birds, the exportation of which is otherwise prohibited by law, and ten pounds of brook trout, a non-resident certificate of registration to hunt and trap shall entitle the holder thereof so to carry not more than ten such birds, and a non-resident certificate of registration to fish shall entitle the holder thereof so to carry ten pounds of brook trout; provided, that he shall carry them open to view for inspection, shall present his combination certificate of registration or his certificate of registration to hunt and trap, or to fish, as the case may be, for inspection upon demand, and shall have informed by letter or otherwise the director or the warden in whose district he is hunting or fishing, or both, as to the number and kinds of such birds or fish. Proviso.

SECTION 8. Said chapter one hundred and thirty-one is hereby further amended by striking out section fourteen and inserting in place thereof the following: — *Section 14.* Whoever makes a false representation as to birthplace, requirements for identification, or of facts relative to property qualifications, or naturalization, or otherwise violates any provision of sections three to fourteen, inclusive, or is in any way directly or indirectly a party thereto, shall be punished by a fine of not less than ten nor more than fifty dollars or by imprisonment for not more than one month, or both. Every certificate issued under sections three to fourteen, inclusive, held by any person convicted of a violation of the fish and game laws or of any provision of said sections, shall be void, and shall immediately be surrendered to the officer securing such conviction. The officer shall forthwith forward the certificates to the director, who shall cancel the same, and notify the clerk issuing them of the cancellation thereof. No person shall be given a certificate under authority of said sections during the period of one year from the date of his conviction as aforesaid. Any such certificate issued to a person within one year of his conviction as aforesaid shall be void, and shall be surrendered on demand of any officer authorized to enforce the fish and game laws. No fee received for a certificate cancelled under this section shall be returned to the holder of such certificate. G. L. 131, § 14, amended.
Penalty for false representation, etc.

SECTION 9. Chapter one hundred and thirty of the General Laws is hereby amended by striking out section twenty-three and inserting in place thereof the following: — *Section 23.* No person shall, except as provided in section three or Surrender and cancellation of certificates, etc.
G. L. 130, § 23, amended.
License to fish in stocked waters.

six of chapter one hundred and thirty-one, fish in any of the inland waters of the commonwealth stocked by the director or his predecessors since January first, nineteen hundred and ten, unless he has obtained a certificate of registration as required by said section three.

Time of taking effect.

SECTION 10. This act shall take effect from and after December thirty-first in the current year.

Approved May 27, 1921.

Chap.468 AN ACT AUTHORIZING THE WEST END CREDIT UNION TO HOLD REAL ESTATE FOR PURPOSES OF ITS BUSINESS.

Be it enacted, etc., as follows:

West End Credit Union, Boston, may hold real estate for business purposes.

The West End Credit Union, located in Boston, may, subject to the approval of the commissioner of banks, invest a sum not exceeding ten thousand dollars in the purchase of a suitable site and the erection or preparation of a suitable building for the convenient transaction of its business.

Approved May 27, 1921.

Chap.469 AN ACT AUTHORIZING THE CITY OF WORCESTER TO PENSION HANNAH MARLEY.

Be it enacted, etc., as follows:

Worcester may pension Hannah Marley.

SECTION 1. The city of Worcester may pay to Hannah Marley, who after a service of more than eighteen years in its employ as a steamstress in the sewer department, retired in nineteen hundred and seventeen on account of permanent physical disability, an annual pension of four hundred and eight dollars, payable monthly.

To be submitted to city council, etc.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided that such acceptance occurs prior to December thirty-first in the current year.

Proviso.

Approved May 27, 1921.

Chap.470 AN ACT AUTHORIZING THE CITY OF WORCESTER TO PENSION WALTER F. GLEASON.

Be it enacted, etc., as follows:

Worcester may pension Walter F. Gleason.

SECTION 1. The city of Worcester may pay to Walter F. Gleason, who after a service of more than twenty years in its employ as an inspector in the street department, retired in nineteen hundred and twenty on account of permanent

physical disability, an annual pension of five hundred and twenty dollars, payable monthly.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to city council, etc.
Proviso.

Approved May 27, 1921.

AN ACT RELATIVE TO THE PAYMENT OF DIVIDENDS IN CASE OF BANKS IN PROCESS OF LIQUIDATION. Chap. 471

Be it enacted, etc., as follows:

Section thirty-one of chapter one hundred and sixty-seven of the General Laws is hereby amended by inserting after the word "commissioner," in the third line, the words:— depositor, creditor, stockholder or any party in interest, — and by striking out, in the same line, the word "him" and inserting in place thereof the words:— or direct the commissioner, — so as to read as follows:— *Section 31.* At any time after the expiration of the date fixed for the presentation of claims, the supreme judicial court, on application of the commissioner, depositor, creditor, stockholder or any party in interest, may authorize or direct the commissioner to declare out of the funds remaining in his hands, after the payment of expenses, one or more dividends, and, after the expiration of one year from the first publication of notice to creditors, the commissioner may declare a final dividend, such dividends to be paid to such persons, in such amounts, and upon such notice as may be directed by the supreme judicial court for the county where the principal office of such bank was located, or as may be directed by a justice of said court. Objections to any claim not rejected by the commissioner may be made by any person interested by filing a copy of the objections with the commissioner, who shall present the same to the supreme judicial court at the time of the next application for leave to declare a dividend. The court to which such application is made shall thereupon dispose of said objections, or may refer them to a master, and should the objections to any claim be sustained by the court or by the master no dividend thereon shall be paid by the commissioner until the claimant shall have established his claim by the judgment of a court of competent jurisdiction. The court may make proper provision for unproved or unclaimed deposits.

G. L. 167, § 31,
amended.

Banks in
liquidation.
Dividends,
objections to
claims, etc.

Approved May 27, 1921.

Chap.472 AN ACT RELATIVE TO THE COMPENSATION OF SPECIAL JUSTICES OF THE DISTRICT COURT OF PEABODY.

Be it enacted, etc., as follows:

Essex County may pay certain compensation of special justices of the district court of Peabody.

SECTION 1. The county of Essex is hereby authorized, through its treasurer, to pay to the special justices holding court in the district court of Peabody during the current year the per diem compensation authorized by section six of chapter two hundred and eighteen of the General Laws for a period of ninety days before deducting the same from the salary of the justice of said court, notwithstanding the provisions of said section six relative to such deductions.

To be submitted to Essex county commissioners.
Proviso.

SECTION 2. This act shall take effect upon its acceptance by the county commissioners of the county of Essex; provided that such acceptance occurs prior to December thirty-first in the current year.

Approved May 27, 1921.

Chap.473 AN ACT REVIVING THE CORPORATION KNOWN AS MYSTIC MICA COMPANY.

Be it enacted, etc., as follows:

Mystic Mica Company, revived.

The Mystic Mica Company, a corporation dissolved by chapter two hundred and twelve of the acts of nineteen hundred and twenty, is hereby revived with the same powers, duties and obligations as if the said chapter had not been passed.

Approved May 27, 1921.

Chap.474 AN ACT RELATIVE TO THE EXEMPTION FROM TAXATION OF THE REAL AND PERSONAL ESTATE OF INCORPORATED ORGANIZATIONS OF VETERANS.

Be it enacted, etc., as follows:

G. L. 59, § 5, amended.

SECTION 1. Section five of chapter fifty-nine of the General Laws is hereby amended by striking out, in the forty-seventh line, the word "fifty" and inserting in place thereof the words: — one hundred, — so that paragraph Fifth will read as follows: — *Fifth*, The real and personal estate belonging to incorporated organizations of veterans of any war in which the United States has been engaged, to the extent of one hundred thousand dollars, if actually used and occupied by such association, and if the net income from said property is used for charitable purposes; but it shall not be exempt for any year in which such association wilfully omits

Real and personal estate of incorporated organizations of war veterans exempt from taxation.

to bring in to the assessors the list and statement required by section twenty-nine.

SECTION 2. This act shall take effect as of the first day of April in the current year. *Approved May 27, 1921.* Time of taking effect.

AN ACT AUTHORIZING THE TREASURER OF THE COUNTY OF ESSEX TO COMPENSATE CHARLES LEIGHTON AND HORACE M. SARGENT FOR SERVICES AS ASSOCIATE COMMISSIONERS. *Chap. 475*

Be it enacted, etc., as follows:

SECTION 1. The county treasurer of the county of Essex is hereby authorized to pay from any funds in the county treasury to Charles Leighton of Lynn, in said county, and to Horace M. Sargent of Haverhill, in said county, an amount not to exceed ten dollars per day for actual services performed by them as associate commissioners for the county of Essex during the year nineteen hundred and twenty. Essex county treasurer may compensate Charles Leighton and Horace M. Sargent for certain services.

SECTION 2. This act shall take effect upon its passage. *Approved May 27, 1921.*

AN ACT RELATIVE TO THE INSTALLATION OF AUTOMATIC SPRINKLERS IN THE CITY OF BOSTON. *Chap. 476*

Be it enacted, etc., as follows:

Section forty-five of chapter five hundred and fifty of the acts of nineteen hundred and seven, as amended by section ten of chapter seven hundred and eighty-two of the acts of nineteen hundred and fourteen, by section four of chapter three hundred and fifty-two of the Special Acts of nineteen hundred and fifteen, and by section one of chapter four hundred and forty of the acts of nineteen hundred and twenty, is hereby further amended by striking out the fourth paragraph and inserting in place thereof the following paragraphs: — In all tenement houses of second and third class construction, hereafter erected, being more than three stories high and containing more than ten suites, the basements or cellars, kitchenettes, stairway enclosures and elevator, light, ventilating and dumb-waiter shafts shall be provided with a system of automatic sprinklers approved as to situation, arrangement and efficiency by the building commissioner. The building commissioner may require the basement or cellar of a tenement house of first class construction, more than three stories high and containing more than ten suites, where in his opinion a fire hazard exists, to be equipped with 1907, 550, § 45, etc., amended.

Certain tenement houses in Boston to have automatic sprinklers, etc.

a system of automatic sprinklers approved by him as to situation, arrangement and efficiency.

Basements or cellars when to have sprinklers, etc.

Basements or cellars in existing tenement houses of second and third class construction, being more than three stories high and containing more than ten suites, shall be provided with a system of automatic sprinklers approved as to situation, arrangement and efficiency by the building commissioner. The building commissioner may in his discretion also require that all doors leading from rear stairway enclosures on each floor of such tenement houses shall be suitably protected by fire proofing material.

Provisions may be waived in certain cases.

In existing tenement houses of first, second and third class construction more than three stories high and containing more than ten suites, where the first floor is of first class construction and in any such tenement house in which any stairway, enclosure, elevator, light, ventilating or dumb-waiter shaft is fireproof, as defined in section thirty-three, as amended by section fourteen of chapter one hundred and seventy-nine of the Special Acts of nineteen hundred and eighteen, the commissioner may waive the provisions of this section in respect to automatic sprinklers, except in cases, where, in his opinion, a fire hazard exists.

Approved May 27, 1921.

Chap.477 AN ACT PROVIDING FOR THE PAYMENT OF A RETIREMENT ALLOWANCE TO E. GERRY BROWN OF BROCKTON.

Be it enacted, etc., as follows:

State retirement allowance to E. Gerry Brown of Brockton.

Beginning January first, nineteen hundred and twenty-one, there shall be paid monthly from the treasury of the commonwealth to E. Gerry Brown of Brockton, former supervisor of loan agencies, a retirement allowance at the rate of three hundred dollars annually.

Approved May 27, 1921.

Chap.478 AN ACT AUTHORIZING THE SEVERAL BOARDS OF REGISTRATION TO SUSPEND AND CANCEL CERTIFICATES OF REGISTRATION.

Be it enacted, etc., as follows:

G. L. 112, § 61, amended.

SECTION 1. Chapter one hundred and twelve of the General Laws is hereby amended by striking out section sixty-one and inserting in place thereof the following:—

Several boards of registration

Section 61. Except as otherwise provided by law, each board

of registration in the division of registration of the department of civil service and registration, after a hearing, may, by a majority vote of the whole board, suspend, revoke or cancel any certificate, registration, license or authority issued by it, if it appears to the board that the holder of such certificate, registration, license or authority, is insane, or is guilty of deceit, malpractice, gross misconduct in the practise of his profession, or of any offence against the laws of the commonwealth relating thereto. Any person whose certificate, registration, license or authority is suspended or revoked hereunder shall also be liable to such other punishment as may be provided by law. The said boards may make such rules and regulations as they deem proper for the filing of charges and the conduct of hearings.

may suspend and cancel certificates of registration.

SECTION 2. Said chapter one hundred and twelve is hereby further amended by striking out section sixty-five and inserting in place thereof the following: — *Section 65.* Whoever continues to practise any profession or calling after his certificate, registration, license or authority authorizing him so to do has been suspended, revoked or cancelled under authority of section sixty-one, and while such disability continues, shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than three months, or both.

G. L. 112, § 65, amended.

Penalty for practising while suspension continues.

Approved May 27, 1921.

AN ACT TO ASSURE THE CONTINUED OPERATION OF THE LINES OF THE BERKSHIRE STREET RAILWAY COMPANY. *Chap. 479*

Be it enacted, etc., as follows:

SECTION 1. The Berkshire Street Railway Company shall not during the years nineteen hundred and twenty-one and nineteen hundred and twenty-two be required to pay by assessment, taxation or otherwise directly or indirectly any part of the expense of the construction, alteration, change of grade, maintenance or repair of any street, highway or bridge, or of any structure therein or thereon, or on account of any change of location of a street railway when such change is required by any public authorities, or for or on account of the abolition of any grade crossing or the removal of wires from the surface of any street or highway to an underground conduit or other receptacle for such wires, or to pay or incur any expense whatever for or in connection with the construction, alteration, maintenance or repair of any street, highway or bridge; provided, that, if the surface of any

Berkshire Street Railway Company, relieved from payment of certain assessments, etc., to assure continued operation of its lines.

Provisos.

street or highway shall be opened or disturbed by such company for any purpose relating to the operation of its street railway, nothing in this section shall be construed to relieve it from the expense of restoring the surface of such street or highway to its original condition; and provided, further, that nothing herein shall relieve such street railway company from the payment of any assessment or expense made or incurred for or on account of work done or to be done under a valid order or decree, made before the passage of this act, in a proceeding relating to the abolition of any grade crossing or to the construction, alteration, maintenance or repair of any street, highway or bridge to which such street railway company was a party, or made or incurred before the passage of this act under any act of the general court, or prevent the placing of future obligations upon the street railway company in respect to the construction, alteration, maintenance or repair of any bridge, structure, or part thereof, which any corporation other than a municipal corporation or any private person may be required in whole or in part to construct, alter, maintain or repair.

Certain cities or towns may enter into agreements to pay cost of service on lines operated therein, etc.

SECTION 2. Any city or town in which lines of the Berkshire Street Railway Company are maintained, by a two thirds vote of the city council in a city or by a majority vote of the voters voting thereon in a town, may, from time to time, for the purpose of obtaining lower fares or of avoiding a reduction or discontinuance of service, enter into an agreement or agreements with the street railway company operating a street railway in such city or town to pay any part or all of any excess of the cost of the service on the lines of the company operated in such city or town above the amount of the receipts from such lines arising from the rates and fares in effect thereon during the period not to exceed one year covered by any such agreement; provided, that the contribution of such city or town shall not in any one year exceed two dollars per one thousand dollars of the assessed valuation of such city or town for the year preceding the date of such agreement; and provided, also, that any such city or town contributing as aforesaid may apply to the department of public utilities for the determination of any question relating to the character or extent of the service rendered or facilities furnished in such city or town in pursuance of said agreement, in the event of differences arising

Provisos.

between the street railway company and such city or town in relation thereto. Such vote in towns may be taken at any town meeting called for the purpose and shall be taken by ballot, and the question shall be submitted in such form as the selectmen may determine. Such agreement shall not be effective until approved by the department of public utilities.

SECTION 3. Upon the application of one or more cities or towns, now or formerly served by the Berkshire Street Railway Company, desiring to contribute toward the cost of operation of the said company, and alleging that the restoration or continuance of such service cannot be effected without one or more other cities or towns, now or formerly served by such company, also contributing toward the cost of the operation thereof within the limits of such last named cities or towns, the department of public utilities shall hold a hearing thereon, and investigate the facts in relation thereto and make report thereon to the various cities and towns which are parties to such proceedings, with such recommendations as said department deems will best further the interests of the cities and towns affected.

Department of public utilities to make recommendations with regard to certain contributions by cities and towns.

SECTION 4. The Berkshire Street Railway Company is hereby authorized to sell to any person, firm or corporation electricity generated by it for light or power, to the extent, at such times, and only so long as the same is not required for the proper operation of its street railway system. Such sales may be made at such rates and upon such terms and conditions as said company may from time to time fix and determine, subject to the approval of the department of public utilities; provided, however, that the net unit prices at which such electricity may be sold shall not be less than the total cost to the company of such electricity delivered for use by the purchaser. No such sale or sales shall be made unless the said department shall first have determined in each instance that public necessity or convenience requires the same. In availing itself of the powers conferred by this section, said company shall not be authorized to make any substantial investment in new machinery or apparatus for use under the terms hereof, but only such incidental investment therein as may from time to time be reasonably necessary to maintain its present machinery and apparatus in operating condition.

Berkshire Street Railway Company may sell electricity for light or power, etc.

Rates, terms, etc.

Proviso.

Public necessity to be determined, etc.

Approved May 27, 1921.

Chap.480 AN ACT RELATIVE TO THE AMOUNT OF CERTAIN PENSIONS PAID UNDER THE COUNTY RETIREMENT SYSTEM.

Be it enacted, etc., as follows:

G. L. 32, § 25,
amended.

Amount of
certain pensions
under county
retirement
system.

SECTION 1. Section twenty-five of chapter thirty-two of the General Laws is hereby amended by striking out, in the thirty-eighth line, the words "one and one half times", so that the paragraph contained in lines thirty-five to forty-one, inclusive, will read as follows: — *C. Pensions derived from Contributions by the County.* — (a) Pensions based upon subsequent service. Any member entitled to an annuity under paragraph (2) B of this section shall receive in addition thereto a pension for life, payable monthly, equivalent to that annuity to which he would be entitled if his annuity were figured under (2) B (a) of this section, to be paid out of the fund contributed by the county under section twenty-four (2) B (a).

Act not to
apply to cer-
tain members.

SECTION 2. This act shall not apply to any person who is a member of a county retirement association at the passage of this act.

Approved May 27, 1921.

Chap.481 AN ACT DISSOLVING THE BAYSIDE FOUNDRY COMPANY, THE MUTUAL SECURITIES COMPANY AND THE SHAW TRANSPORTATION COMPANY.

Be it enacted, etc., as follows:

Certain busi-
ness corpora-
tions dissolved.

SECTION 1. The following named corporations are hereby dissolved, subject to the provisions of sections fifty-one and fifty-two of chapter one hundred and fifty-five of the General Laws: — Bayside Foundry Company, Mutual Securities Company, and The Shaw Transportation Company.

Pending suits
not affected,
etc.

SECTION 2. Nothing in this act shall be construed to affect any suit now pending by or against any corporation mentioned herein, or any suit now pending or hereafter brought for any liability now existing against the stockholders or officers of any such corporation, or to revive any charter previously annulled or any corporation previously dissolved, or to make valid any defective organization of any of the supposed corporations mentioned herein.

Proceedings in
suits upon
choses in
action, how
brought, etc.

SECTION 3. Suits upon choses in actions arising out of contracts sold or assigned by any corporation dissolved by this act may be brought or prosecuted in the name of the purchaser or assignee. The fact of sale or assignment and

of purchase by the plaintiff shall be set forth in the writ or other process; and the defendant may avail himself of any matter of defence of which he might have availed himself in a suit upon the claim by the corporation, had it not been dissolved by this act.

SECTION 4. Nothing in this act shall be construed to relieve the last person who was the treasurer or assistant treasurer, or, in their absence or incapacity, who was any other principal officer, of each of the corporations named in this act, from the obligation to make a tax return as of April first following the date of dissolution and swear to the same as required by section thirty-five of chapter sixty-three of the General Laws. The tax liability of each of the corporations named in this act shall be determined in accordance with the existing laws of this commonwealth.

No relief from obligation to file tax return, etc.

Approved May 27, 1921.

AN ACT PROVIDING FOR THE RECONSTRUCTION OF THE
BRIDGE BETWEEN PLUM ISLAND AND THE TOWN OF NEW-
BURY.

Chap. 482

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the county of Essex, subject to all general laws applicable thereto, and to the approval of the appropriate federal authority, are hereby authorized to take over and reconstruct the bridge over the Plum Island river, so-called, in the town of Newbury in said county, formerly the property of the Plum Island Turnpike and Bridge Corporation and laid out as a public highway by said county under authority of chapter four hundred and four of the acts of nineteen hundred and five, as amended by chapter one hundred and seventy-two of the General Acts of nineteen hundred and fifteen. The commissioners may acquire by purchase or eminent domain proceedings under chapter seventy-nine of the General Laws, such land rights and easements as may be required therefor.

Essex county commissioners may reconstruct bridge between Plum island and the town of Newbury, etc.

SECTION 2. The cost and expenses incurred under this act shall not exceed the sum of ninety-five thousand dollars and shall be paid, in the first instance, by the county of Essex. The said commissioners may borrow by a temporary loan or loans on the credit of the county such sums, not exceeding the said amount, as may from time to time be required to meet the costs and expenses aforesaid, and may renew the same for such periods as may be necessary. All

Essex county commissioners may borrow money to meet cost and expense.

amounts so borrowed shall be deposited in the treasury of the county, and the treasurer shall pay out the same as ordered by the county commissioners, and shall keep a separate and accurate account of all moneys borrowed and expended under the provisions of this act, including interest. Upon the completion of the bridge, the county commissioners shall file in the office of the clerk of the courts for the county a detailed statement, certified under their hands, of the actual cost of its construction and they shall give notice to the city of Newburyport and the town of Newbury and shall assess upon the city of Newburyport thirty per cent and upon the town of Newbury twenty per cent of the total cost thereof, and shall collect from persons or corporations, as provided in section six, five per cent thereof. Any sum assessed upon said city or town, or to be collected from persons or corporations as provided in section six, shall be paid into the treasury of the county within sixty days after notice by the county commissioners that the foregoing provisions have been complied with; and if the city or town refuses or neglects to pay the amount assessed, the commissioners shall, after due notice, issue a warrant against the city or town for its proportion, with interest and the cost of the notice and warrant, and the same shall be collected and paid into the treasury of the county, to be applied in payment of the expenses aforesaid.

Statement of actual cost of bridge to be filed with clerk of courts, etc. and notice given to Newburyport and Newbury.

County of Essex, Plum Island River Bridge Loan, Act of 1921.

SECTION 3. For the purpose of paying the forty-five per cent of the said total cost which is to be borne by the county of Essex, the county treasurer, with the approval of the county commissioners, may borrow from time to time such sums as may be necessary, not exceeding in the aggregate forty-two thousand seven hundred and fifty dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words, County of Essex, Plum Island River Bridge Loan, Act of 1921, and shall be payable by such annual payments, beginning not more than one year after the date thereof, as will extinguish each loan within twenty years from its date, and the amount of such annual payments in any year shall not be less than the amount of the principal of the loan payable in any subsequent year. Each authorized issue shall constitute a separate loan. The city of Newburyport for the purpose of paying its part of the cost of said bridge, may borrow from time to time such sums as may be necessary, not exceeding in the aggregate twenty-eight thousand five hundred dollars, and may issue

City of Newburyport, Plum Island River Bridge Loan, Act of 1921.

bonds or notes therefor, which shall bear on their face the words, City of Newburyport, Plum Island River Bridge Loan, Act of 1921. Each authorized issue shall constitute a separate loan and shall be payable within twenty years from its date. The town of Newbury, for the purpose of paying its part of the cost of said bridge, may borrow from time to time such sums as may be necessary, not exceeding in the aggregate nineteen thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Town of Newbury, Plum Island River Bridge Loan, Act of 1921. Each authorized issue shall constitute a separate loan and shall be payable within twenty years from its date. Indebtedness incurred by said city and town under this act shall be in excess of the statutory limit, but shall otherwise be subject to chapter forty-four of the General Laws.

Town of Newbury, Plum Island River Bridge Loan, Act of 1921.

The said county, city and town may sell the said securities at public or private sale upon such terms and conditions as they may severally deem proper, but not for less than their par value, and the proceeds of loans issued by the county shall be used only to pay temporary loans issued in accordance with the provisions of section two or for the construction of said bridge, and the proceeds of the loans issued by said city and town shall be paid into the county treasury, to be applied to the payment of loans issued by the county in accordance with the provisions of section two.

Sale of securities, etc.

SECTION 4. The care and control of said bridge shall vest in the said county commissioners, who shall have charge of lighting, operating, maintaining and keeping in repair the said bridge, and also the exclusive authority to authorize poles, wires, tracks and other structures to be placed thereon and in such places and manner as the said commissioners may deem proper. The cost of maintaining and operating said bridge as above set forth, less any revenue derived under the following section, shall be borne and paid by said county and by the city of Newburyport and by such towns of the county and in such proportions as the said county commissioners may, after due notice and a hearing, determine, in accordance with the special benefits derived from said bridge; provided, that not less than forty per cent of the said cost shall be borne by the county of Essex; and provided, also, that once in every five years said commissioners may re-determine said proportions to be paid by said city and towns, after due notice and hearing. The said commissioners shall annually in the month of November submit to the said city

Care and control of bridge, etc.

Cost of maintenance, etc.

Provisos.

Annual statement of expenses of maintenance, etc.

and towns a true statement of the expenses of maintenance and operation of the bridge, and within thirty days thereafter the said city and the said towns shall pay into the treasury of the county their proportions determined as aforesaid, and if the city or any town shall neglect or refuse to pay the same, the said commissioners shall after a notice to the delinquent city or the town issue a warrant, and the same with interest and cost of notice and warrant shall be collected and paid into the treasury of the county to be applied in payment of the expenses as aforesaid.

Street railway
privileges over
bridge, etc.

SECTION 5. The county commissioners of said county may grant to any street railway company or companies the privilege of running their cars over said bridge, all upon such terms, conditions and restrictions, and for such compensation as in their judgment public interest and convenience may require. The revenue from all such privileges shall be paid to the county treasurer and be expended to meet the cost of maintaining and operating said bridge as provided in the preceding section.

Agreements,
etc., for reim-
bursement of
the county, etc.

SECTION 6. The county commissioners shall, before proceeding to construct the bridge as authorized by this act or incurring liabilities on account of said bridge, enter into such agreements or take such guaranties or bonds as they may deem advisable with persons or corporations other than the city and town specified in this act, providing for the reimbursement to the county of five per cent of the total cost of said bridge. A certificate signed and acknowledged by the clerk of the courts of said county that such agreements have been entered into or that such bonds or guaranties have been taken, and recorded in the registry of deeds for the county of Essex, shall be sufficient evidence of the compliance of the county commissioners with the provisions of this section. Upon the completion of the bridge, the county commissioners shall give notice to the parties interested in the above named guaranties of the total cost of said bridge and they shall, within sixty days, pay to the county treasurer five per cent of said total cost, and upon payment of said sum the county commissioners shall release them from further liability and cancel or return any bond or other guaranty deposited with them on account of said agreement. Moneys paid to the county treasurer as a reimbursement for the cost of the bridge shall be applied to the payment of the loan or loans authorized by section two of this act.

Evidence of
compliance to
be recorded.

Release upon
payment to
county treas-
urer.

SECTION 7. All acts and parts of acts inconsistent herewith are hereby repealed but such repeal shall not affect the validity of the lay out of the highway made under authority of chapter four hundred and four of the acts of nineteen hundred and five. Repeals, etc.

SECTION 8. This act shall take effect upon its acceptance by the county commissioners of the county of Essex; provided that such acceptance occurs prior to December thirty-first in the current year. To be submitted to Essex county commissioners. Proviso.
Approved May 27, 1921.

AN ACT RELATIVE TO LIGHTS ON MOTOR TRUCKS, TRAILERS Chap. 483
 AND COMMERCIAL MOTOR VEHICLES.

Be it enacted, etc., as follows:

Chapter ninety of the General Laws, as amended in section seven by chapters one hundred and eighty-nine and four hundred and thirty-four of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out said section seven and inserting in place thereof the following: — *Section 7.* Every motor vehicle of more than ten horse power operated in or on any way shall be provided with at least two brakes, powerful in action and separated from each other, of which one brake shall act directly on the driving wheels or on parts of the mechanism which are firmly connected with said wheels. Each of the two brakes shall suffice alone to stop the motor vehicle within a proper distance. One of the two brakes shall be so arranged as to be operated with the foot. Every automobile of not more than ten horse power and every motor cycle shall be provided with at least one brake. Every motor vehicle so operated shall be provided with a muffler or other suitable device to prevent unnecessary noise and with a suitable bell, horn or other means of signalling, and with suitable lamps; and automobiles shall be provided with a lock, a ratchet brake which can be set, a key or other device to prevent such vehicle from being set in motion by unauthorized persons, or otherwise, contrary to the will of the owner or person in charge thereof. Every automobile operated during the period from one half an hour after sunset to one half an hour before sunrise shall display at least two white lights, or lights of yellow or amber tint, and every motor cycle so operated at least one white light, or light of yellow or amber tint, and every such motor cycle with a side-car attached, in addition, G. L. 90, § 7, etc., amended.

Motor vehicles. Brakes and other equipment.

Lights.

one such light on the front of the side-car, and every motor truck, trailer and commercial motor vehicle used solely as such, having a carrying capacity of three tons or over, in addition, a green light attached to the extreme left of the front of such vehicle, so attached and adjusted as to indicate the extreme left lateral extension of the vehicle or load, which shall be visible not less than two hundred feet in the direction toward which the vehicle is proceeding; and every such motor vehicle shall display at least one red light in the reverse direction. Every automobile so operated shall have a rear light so placed as to show a red light from behind and a white light so arranged as to illuminate and not obscure the rear register number. No headlamp shall be used upon any motor vehicle so operated unless such lamp is equipped with a lens or other device, approved by the registrar, designed to prevent glaring rays. Application for such approval accompanied by a fee of fifty dollars may be made to the registrar by any manufacturer of or dealer in such a lens or device. Every automobile used for the carriage of passengers for hire, and every commercial motor vehicle or motor truck, so constructed, equipped or loaded that the person operating the same is prevented from having a constantly free and unobstructed view of the highway immediately in the rear, shall have attached to the vehicle a mirror or reflector so placed and adjusted as to afford the operator a clear, reflected view of the highway in the rear of the vehicle.

Lenses, approved by registrar, etc.

Mirrors or reflectors.

Approved May 27, 1921.

Chap. 484 AN ACT RELATIVE TO THE REIMBURSEMENT OF CITIES AND TOWNS FOR THE MAINTENANCE OF CLASSES FOR THE INSTRUCTION OF ADULTS IN THE USE OF ENGLISH.

Be it enacted, etc., as follows:

G. L. 69, § 10, amended.

Section ten of chapter sixty-nine of the General Laws is hereby amended by striking out, in the fourth line, the word "therefor" and inserting in place thereof the words:— for supervision and instruction, — so as to read as follows:—

Section 10. At the expiration of each school year, and on approval by the department, the commonwealth shall pay to every town providing such instruction in conjunction with the department, one half the amount expended for supervision and instruction by such town for said year.

Reimbursement of cities and towns by commonwealth.

Approved May 27, 1921.

AN ACT RELATIVE TO FIREWORKS, FIRECRACKERS, TORPEDOES, OTHER EXPLOSIVES AND VOLATILE INFLAMMABLE FLUIDS. Chap. 485

Whereas, The deferred operation of this act would tend to defeat its purpose which is in part to provide for the proper regulation of the sale of fireworks, firecrackers and torpedoes immediately preceding the seventeenth day of June and the fourth day of July next, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Emergency preamble.

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and forty-eight of the General Laws is hereby amended by striking out section two and inserting in place thereof the following: — *Section 2.* Except as otherwise provided in section thirty, sections six, ten, thirteen, fourteen, nineteen, twenty and twenty-two shall not apply to the metropolitan district. Sections twenty-eight to fifty-one, inclusive, shall apply only to said district.

G. L. 148, § 2, amended.

Fire prevention.
Application of certain sections.

SECTION 2. Said chapter one hundred and forty-eight, as amended in section ten by chapter two hundred and seventy-three of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out said section ten and inserting in place thereof the following: — *Section 10.* The department may make rules and regulations for the

G. L. 148, § 10, etc., amended.

keeping, storage, use, manufacture, sale, handling, transportation or other disposition of gunpowder, dynamite, crude petroleum or any of its products, or explosive or inflammable fluids or compounds, tablets, torpedoes or any explosives of a like nature, or any other explosives, fireworks, firecrackers, or any substance having such properties that it may spontaneously, or acting under the influence of any contiguous substance, or of any chemical or physical agency, ignite, or inflame or generate inflammable or explosive vapors or gases to a dangerous extent, and may prescribe the materials and construction of buildings to be used for any of the said purposes, except that cities and towns may by ordinances or by-laws prohibit the sale or use of fireworks or firecrackers within the city or town, or may limit the time within which firecrackers and torpedoes may be used.

Rules and regulations for explosives, etc.

SECTION 3. Section fourteen of said chapter one hundred and forty-eight is hereby amended by striking out the first

G. L. 148, § 14, amended.

License for
storing, etc.,
explosives.

Proviso.

Department
may regulate
private use,
etc., without
license.

G. L. 148, § 19,
amended.

Officials desig-
nated by mar-
shal to grant
permits, etc.

Revocation of
permits.

G. L. 148, § 31,
amended.

Fee for permit,
etc.

paragraph and inserting in place thereof the following:—
Section 14. No building or other structure shall, except as provided in section fifteen, be used for the keeping, storage, manufacture or sale of any of the articles named in section ten, except fireworks, firecrackers and torpedoes, unless the aldermen or selectmen shall have granted a license therefor for one year from the date thereof, after a public hearing, fourteen days' public notice of which shall have been given at the expense of the applicant and unless a permit shall have been granted therefor by the marshal or by some official designated by him for that purpose; provided, that any building or other structure once used under a license and permit granted as aforesaid, or any building or other structure lawfully used for any of said purposes, may be continued in such use from year to year if the owner or occupant thereof shall annually, while such use continues, file for registration with the clerk of the city or town where such building or other structure is situated, and with the marshal or the official designated by him to grant permits in such city or town, a certificate reciting such use and occupancy. The department may by regulation prescribe the amount of explosives, crude petroleum or any of its products, or of any other inflammable fluid or compound, that may be kept for private use in a building or other structure without a license, permit or registration, or any of them.

SECTION 4. Said chapter one hundred and forty-eight is hereby further amended by striking out section nineteen and inserting in place thereof the following:—*Section 19.* The marshal may designate some officer of any city or town who, when so designated, may grant, in accordance with rules and regulations established by the department, the permits required by section fourteen or by the regulations made under section ten or fourteen. Such officer shall grant such permits and keep a record of them. A fee of fifty cents may be charged for any permit except as provided in section fourteen. The marshal may revoke any permit under section thirteen, or under the regulations made by authority of section ten, and such a permit may be revoked for cause by any officer who granted it.

SECTION 5. Section thirty-one of said chapter one hundred and forty-eight is hereby amended by adding at the end thereof the following:—Except as otherwise provided, a fee of fifty cents may be charged for any such permit. Any

such permit may be revoked by the marshal or by the officer designated to grant it.

SECTION 6. Said chapter one hundred and forty-eight is hereby further amended by striking out section sixty-two and inserting in place thereof the following: — *Section 62.* Whoever sells, or keeps or offers for sale, naphtha under a name which tends to conceal its inflammable character shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than one month, or both, and shall be subject to the liabilities set forth in section sixty.

G. L. 148, § 62, amended.

Penalty for sale of naphtha under assumed name.

SECTION 7. Section sixty-six of said chapter one hundred and forty-eight is hereby amended by inserting after the word “liberates”, in the first line, the words: — or flies, — so as to read as follows: — *Section 66.* Whoever liberates or flies a fire balloon shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than one month, or both.

G. L. 148, § 66, amended.

Penalty for flying fire balloon.

Approved May 27, 1921.

AN ACT MAKING CERTAIN CORRECTIONS IN THE GENERAL LAWS. *Chap. 486*

Be it enacted, etc., as follows:

SECTION 1. Section seven of chapter four of the General Laws is hereby amended by striking out clause Fourth.

G. L. 4, § 7, cl. 4, stricken out.

SECTION 2. Section four of chapter fourteen of the General Laws is hereby amended by inserting after the word “out” in the twenty-first line, the words: — sections forty-four to forty-seven, inclusive, of chapter thirty-five, and, — so that the seventh paragraph of said section will read as follows: — Such assistants to the director of accounts as may from time to time be necessary to carry out sections forty-four to forty-seven, inclusive, of chapter thirty-five, and sections thirty-five to forty-three, inclusive, of chapter forty-four, who shall receive such compensation as the commissioner may fix.

G. L. 14, § 4, amended.

Director of accounts, assistants.

SECTION 3. Section sixty-one of chapter thirty-two of the General Laws is hereby amended by striking out, in the fifth line, the words “any judge of probate and insolvency”, so as to read as follows: — *Section 61.* A justice of the supreme judicial or superior court, or any judge of the land court or of probate and insolvency, who, having attained the age of seventy and having served in any or all of said courts for at least ten consecutive years, resigns his office or retires

G. L. 32, § 61, amended.

Pensions for justices and judges of supreme, superior, probate and land courts.

from active service, or who is retired by the governor, with the consent of the council, because of advanced age or mental or physical disability, shall during the remainder of his life receive an amount equal to three fourths of the salary which was payable to him at the time of his resignation or retirement, to be paid by the commonwealth in the same manner as the salaries of justices or judges of said courts. A justice of the superior court who has attained the age and performed the service required by this section may retire from active service, and may thereafter perform service with his own consent, on the written request of the chief justice of said court; and when so performing service he shall receive, on the certificate of the chief justice, his expenses actually incurred while holding court in places where he does not reside. He shall not be counted in the number of justices provided by law for the superior court.

G. L. 32, § 63,
amended.

SECTION 4. Section sixty-three of said chapter thirty-two is hereby amended by striking out, in the second line, the word "to", by inserting in the sixth line, after the word "Any" the word:— such,— so as to read as follows:—

Certain sections
of law not to
apply to cer-
tain judges, etc.

Section 63. The two preceding sections shall not apply to justices of the supreme judicial or superior court or judges of the land court, appointed after June fourth, nineteen hundred and twenty, or to those who, although appointed before that date, accepted the increase in salary provided by chapter six hundred and twenty-seven of the acts of nineteen hundred and twenty. Any such justice or judge of any of the said courts retired under article fifty-eight of the amendments to the constitution shall on retirement be entitled to receive a pension equal to one half the salary which a like justice or judge was entitled to receive immediately prior to the above mentioned date. Sections one to five, inclusive, shall not apply to justices or judges of any of said courts.

G. L. 39, § 13,
amended.

Quorum at
town meetings.

SECTION 5. Section thirteen of chapter thirty-nine of the General Laws is hereby amended by striking out the word "legal" in the first line, so as to read as follows:— *Section 13.* Towns may prescribe by by-law the number of voters necessary to constitute a quorum at town meetings except such parts of meetings as are devoted exclusively to the election of town officers.

G. L. 40, § 5,
amended.

Purposes for
which towns
may appropri-
ate money.

SECTION 6. Section five of chapter forty of the General Laws is hereby amended by striking out clause (12) and inserting in place thereof the following:— (12) For erecting headstones or other monuments at the graves of persons who

served in the war of the revolution, the war of eighteen hundred and twelve, the Seminole war, the Mexican war or the war of the rebellion or who served in the military or naval service of the United States in the Spanish-American war or in the world war; for acquiring land by purchase or by eminent domain under chapter seventy-nine, purchasing, erecting, equipping or dedicating buildings, or constructing or dedicating other suitable memorials, for the purpose of properly commemorating the services and sacrifices of persons who served as aforesaid; and for keeping in repair or decorating graves, monuments or other memorials erected to the memory of such persons or of its firemen who died from injuries received in the performance of their duties in the fire service, or for other memorial observances in their honor. Money appropriated in honor of such firemen may be paid over to, and expended for such purposes by, any veteran firemen's association or similar organization.

SECTION 7. Section fourteen of said chapter forty is hereby amended by striking out, in the ninth line, the words "at a regular meeting", so as to read as follows: — *Section 14.* The aldermen of any city, except Boston, or the selectmen of a town may purchase, or take by eminent domain under chapter seventy-nine, for any municipal purpose any land within the town not already appropriated to public use; but no land shall be taken or purchased under this section unless the taking or purchase thereof has previously been authorized by the city council or by vote of the town, nor until an appropriation of money, to be raised by loan or otherwise, has been made for the purpose by a two thirds vote of the city council or by a two thirds vote of the town, and no lot of land shall be purchased for any municipal purpose for a price more than twenty-five per cent in excess of its average assessed valuation during the previous three years.

G. L. 40, § 14,
amended.

Taking or purchase of land for municipal purposes.

SECTION 8. Section fifty-five of chapter forty-one of the General Laws is hereby amended by striking out the words "shall receive such salary as the town shall vote," in the tenth and eleventh lines.

G. L. 41, § 55,
amended.
Town accountant.

SECTION 9. Section seventy-seven of said chapter forty-one is hereby amended by inserting after the word "and" in the eleventh line, the words: — in cities the, — so that the last sentence of said section will read as follows: — If any person shall open for public travel any private way the location, direction, width, grades and in cities the plan of

G. L. 41, § 77,
amended.

Public sewers, water pipes, etc., not to be placed in certain private ways, etc.

drainage of which have not previously been approved in writing by the board of survey in the manner provided in said sections, neither the city or town nor other public authority shall place any public sewer, drain, water pipe or light in, or do any public construction work of any kind, or make repairs, on such private way; provided, that this section shall not prevent the laying of a trunk sewer, drain, water or gas main if required by engineering necessities for the accommodation of other territory.

Proviso.

G. L. 41, § 111,
amended.

SECTION 10. Section one hundred and eleven of said chapter forty-one is hereby amended by striking out, in the third, fourth and fifth lines, the words "who have worked for such town for at least thirty-two weeks in the aggregate during the preceding calendar year" and inserting in place thereof the words:—regularly employed by such town,— and by adding at the end of said section the words:—A person shall be deemed to be regularly employed, within the meaning of this section, if he has actually worked for the city or town for thirty-two weeks in the aggregate during the preceding calendar year,— so as to read as follows:—

Vacations of
laborers in
cities and
towns.

Section 111. In any town which accepted chapter two hundred and seventeen of the acts of nineteen hundred and fourteen, all persons classified as laborers, or doing the work of laborers, regularly employed by such town, shall be granted a vacation of not less than two weeks during each year of their employment, without loss of pay. In any city which accepted said chapter the city council may determine that a vacation of two weeks without loss of pay shall be granted to every person regularly employed by such city who is classified by the commissioners of civil service as a common laborer, skilled laborer, mechanic or craftsman in the labor service, under regulations established by said commissioners for cities to which the labor rules adopted by said commissioners are or may become applicable. If such vacations are authorized, they shall be granted by the heads of the executive departments of the city at such times as in their opinion will cause the least interference with the performance of the regular work of the city. A person shall be deemed to be regularly employed, within the meaning of this section, if he has actually worked for the city or town for thirty-two weeks in the aggregate during the preceding calendar year.

Definition.

G. L. 44, § 8,
amended.

SECTION 11. Section eight of chapter forty-four of the General Laws is hereby amended by inserting after the word

“the” in the nineteenth line, the word:—outstanding,—so that clause (5) of said section will read as follows:—
(5) For establishing, purchasing, extending or enlarging a gas or electric lighting plant within the limits of the territory within which such gas or electric lighting plant is authorized to distribute its product, twenty years; but the outstanding indebtedness so incurred shall not exceed in a town five per cent and in a city two and one half per cent of the last preceding assessed valuation of such town or city.

Purpose for which cities and towns may borrow outside debt limit.

SECTION 12. Section fifty of said chapter forty-four is hereby repealed.

G. L. 44, § 50, repealed.

SECTION 13. Section fifty-five of said chapter forty-four is hereby amended by inserting after the word “A” in the first line, the words:—city or,—so as to read as follows:—
Section 55. A city or town shall not at any one time have on deposit in a bank or trust company an amount exceeding sixty per cent of the capital and surplus of such bank or trust company, unless satisfactory security is given to it by such bank or trust company for such excess.

G. L. 44, § 55 amended.

Bank deposits of cities and towns limited.

SECTION 14. Section seven of chapter fifty-six of the General Laws is hereby amended by inserting after the word “assessment” in the third line, the word:—, listing,—and by striking out, in the third and fourth lines, the words “or in Boston, Cambridge, Chelsea or Watertown for being listed,” so as to read as follows:—*Section 7.* Whoever knowingly or wilfully makes a false affidavit, takes a false oath or signs a false certificate relative to the qualifications of any person for assessment, listing or registration, or in Cambridge, Chelsea or Watertown for being given a certificate of residence by the assessors, shall be punished by imprisonment for not more than one year.

G. L. 56, § 7, amended.

Penalty for certain false oaths.

SECTION 15. Section thirteen of chapter fifty-eight of the General Laws is hereby amended by striking out, in the fifth and sixth lines, the words “under the department of mental diseases, the department of public welfare or the department of correction”, so that the first sentence of said section will read as follows:—*Section 13.* In nineteen hundred and twenty-five and in every fifth year thereafter the commissioner shall between April first and June first determine as of April first the fair cash value of all land in every town owned by the commonwealth and used for the purposes of a public institution, a fish hatchery or game preserve, a state military camp ground, or a state forest.

G. L. 58, § 13, amended.

Valuation of certain state lands every five years.

G. L. 59, § 5,
amended.

Certain prop-
erty exempt
from taxation.

SECTION 16. Section five of chapter fifty-nine of the General Laws is hereby amended by inserting after the words "real estate" in the ninety-seventh line, the words: — , poles, underground conduits, wires and pipes, — so that clause sixteenth of said section will read as follows:— *Sixteenth*, Property, other than real estate, poles, underground conduits, wires and pipes, and other than machinery used in manufacture or in supplying or distributing water, owned by Massachusetts savings banks or co-operative banks, by Massachusetts corporations subject to taxation under chapter sixty-three or by foreign corporations subject to taxation under section thirty-nine or fifty-eight of said chapter.

G. L. 69, § 25,
amended.

Articles pro-
duced by the
blind to be
purchased by
certain state
officials.

Proviso.

SECTION 17. Chapter sixty-nine of the General Laws is hereby amended by striking out section twenty-five and substituting the following:— *Section 25*. The superintendent of buildings and officers in charge of state or other public institutions shall purchase articles or supplies, other than products of prison labor, from the division of the blind; provided, that the division has the same for sale and that they were produced by persons under the supervision of the division or in industrial schools or workshops under its supervision.

G. L. 71, § 70,
amended.

Situation of
schoolhouses.

SECTION 18. Section seventy of chapter seventy-one of the General Laws is hereby amended by striking out all after the word "schoolhouses" in the second line, so as to read as follows:— *Section 70*. A town may, at a town meeting, determine the situation of its schoolhouses.

G. L. 73, § 4,
amended.

Bonds of prin-
cipals of state
normal schools.

SECTION 19. Section four of chapter seventy-three of the General Laws is hereby amended by striking out the words "state treasurer and the" in the second line, so as to read as follows:— *Section 4*. Principals of state normal schools shall give bonds in such penal sums as the state auditor may prescribe, conditioned on the faithful performance of their duties.

G. L. 83, § 27,
amended.

SECTION 20. Section twenty-seven of chapter eighty-three of the General Laws is hereby amended by inserting after the words "public way" in the third line, the words: — or in a way opened or dedicated to the public use which has not become a public way, — by inserting after the word "sidewalk" in the fourth line, the words: — for such a way, — by striking out the word "public" in the ninth line, and by striking out the words "a public" in the eleventh line, and inserting in place thereof the words: — any such, — so

as to read as follows: — *Section 27.* Whenever the aldermen of a city or the sewer commissioners, selectmen or road commissioners of a town lay out or determine to construct a sewer or drain in a public way, or in a way opened or dedicated to the public use which has not become a public way, or adopt an order for the establishment or reconstruction of a sidewalk for such a way, and assessments may be made or charges imposed under this chapter for the construction of such improvement or the use thereof, they shall forthwith cause to be recorded in the registry of deeds of the county or district in which such city or town is situated a statement of their action, which shall specify the ways in which such sewer, drain or sidewalk is located. All assessments made or charges imposed under this chapter upon any land which abuts upon any such way in which such sewer, drain or sidewalk is located shall constitute a lien upon such land from the time such statement is recorded.

Recording in registry of deeds of statement of the action of certain public officials, etc.

SECTION 21. Section ten of chapter ninety-three of the General Laws is hereby amended by striking out the words "less than six months or" in the eighth line, and by inserting after the word "years" in said line, the words: — , or in a jail or house of correction for not less than six months nor more than two and one half years, — so as to read as follows: — *Section 10.* Whoever, in his individual capacity, or acting in behalf of any firm, association or corporation for the purpose of evading any provision of sections eight and nine, shall appoint agents, secure or hold the control of corporate stock, or by agreement with any other person, firm, association or corporation, cause any of the commodities mentioned in section eight to be sold for the purpose of such evasion or attempt to evade, shall be punished by imprisonment in the state prison for not more than five years, or in a jail or house of correction for not less than six months nor more than two and one half years; and if any of the acts specified in this section are done by a corporation, the directors, stockholders or agents authorizing such evasion or discrimination shall each be punished as provided herein.

G. L. 93, § 10, amended.

Penalty for participation by individuals in obtaining control of corporate stock, etc., for certain purposes.

SECTION 22. Section forty-one of said chapter ninety-three is hereby repealed.

G. L. 93, § 41, repealed.

SECTION 23. Chapter ninety-four of the General Laws is hereby amended by inserting after section ninety-two the following new section: — *Section 92A.* No person shall sell or offer or expose for sale for food purposes, or have in

G. L. 94, new section after § 92.
Sale of decayed eggs for food purposes, regulated.

possession with intent to sell for such purposes, eggs which, either before or after removal from the shell, are wholly or partly decayed or decomposed, eggs in the fluid state, any part of which is wholly or partly decayed or decomposed, eggs, in the fluid state or otherwise, which are mixed with parts of eggs derived from eggs which are wholly or partly decayed or decomposed, or frozen masses of broken eggs, if the mass contains eggs wholly or partly decayed or decomposed, or which are mixed with parts of eggs taken from eggs which were wholly or partly decayed or decomposed; nor shall any person use in the preparation of food products eggs which are wholly or partly decayed or decomposed, or deliver or sell such eggs in or at any establishment where food products are prepared or manufactured, or purchase or accept the same in or at any such establishment for use in the preparation of food products; but nothing in this section shall prohibit the purchase, sale or possession for other than food purposes of such eggs. The department of public health shall enforce this section. Violation of any provision of this section shall be punished by a fine of not less than ten nor more than one thousand dollars, or by imprisonment for not less than three months, or both.

Penalty.

G. L. 94, new section after § 150.

Penalty for sale of certain unwholesome food or drink, etc.

SECTION 24. Said chapter ninety-four is hereby further amended by inserting after section one hundred and fifty the following new section: — *Section 150A*. Whoever knowingly exposes for sale or has in possession with intent to sell, for food or drink, anything described in the preceding section shall be punished by a fine of not more than one hundred dollars, or by imprisonment for not more than sixty days, or both. This section shall not apply to a wholesale dealer who has in his possession fruit or vegetables in the original package with intent to disclose fully to the purchaser the partly decayed condition thereof.

G. L. 94, new section after § 184.

Quantity of certain substances to be marked on packages containing certain patent medicines, drugs, etc.

SECTION 25. Said chapter ninety-four is hereby further amended by inserting after section one hundred and eighty-four the following new section: — *Section 184A*. Upon each package, bottle or other receptacle holding any proprietary or patent medicine, or proprietary or patent food preparation, containing alcohol, morphine, codeine, opium, heroin, chloroform, cannabis indica, chloral hydrate or acetanilide, or any derivative or preparation of any such substance, there shall be a label upon which shall be printed, in type not smaller than eight point (brevier) capitals, a correct

statement of the quantity or proportion of each of said substances therein contained; provided, that if the size of the package, bottle or other receptacle will not permit the use of such type, the size thereof may be reduced proportionately. Whoever manufactures, sells, or offers for sale any medicine or food preparation in violation of this section shall be punished by a fine of not less than five nor more than one hundred dollars; but no dealer shall be prosecuted hereunder if the article is marked as it was when purchased by him and he can establish a guaranty signed by the wholesaler, jobber or manufacturer, residing in this commonwealth, from whom he purchases such article, to the effect that the same is correctly marked as required by this section, designating it. Such guaranty, to afford protection, shall contain the names and addresses of the parties making the sale of such articles to such dealer.

Proviso.

Penalty.

When dealer is not liable to penalty.

SECTION 26. Section one hundred and eighty-five of said chapter ninety-four is hereby repealed.

G. L. 94, § 185, repealed.

SECTION 27. Section three hundred and four of said chapter ninety-four is hereby amended by adding at the end thereof the following:— Violation of this section shall be punished by a fine of not less than twenty-five nor more than five hundred dollars.

G. L. 94, § 304, amended.

Penalty upon certain vendors of food and drugs.

SECTION 28. Section nine of chapter one hundred and twenty-one of the General Laws is hereby amended by adding at the end thereof the following:— It may from time to time select for support at the state farm any state paupers whose labor, in domestic or other service at said institution, may contribute toward the cost of their support, or whose maintenance at the same may for special reasons be considered expedient, and in an emergency said department may transfer any inmates of the state infirmary to said institution, there to be supported while the emergency continues. The superintendent of the state farm shall receive and properly support all persons admitted to it under this section.

G. L. 121, § 9, amended.

Department of public welfare. Transfer of paupers, etc.

SECTION 29. Section forty-two of chapter one hundred and twenty-five of the General Laws is hereby repealed.

G. L. 125, § 42, repealed.

SECTION 30. Section ninety-three of chapter one hundred and seventy-five of the General Laws is hereby amended by striking out the period at the end thereof, inserting in place of said period a semi-colon, and adding the following:— but a policy holder in the companies specified in the first paragraph of section fifty-five shall not be liable to pay his

G. L. 175, § 93, amended.

Mutual liability companies. Notice to

policy holder
of assessments.

proportional part of any assessments which may be laid by such companies, unless he is notified of such assessment within one year after the expiration or cancellation of his policy.

G. L. 181, § 1,
amended.

SECTION 31. Section one of chapter one hundred and eighty-one of the General Laws is hereby amended by inserting after the words "insurance company" in the fifth line, the words: — or a corporation organized for a purpose for which domestic corporations can be organized under chapter one hundred and eighty, — so as to read as follows: — *Section 1.* The following words as used in this chapter shall, except when otherwise specifically prescribed, have the following meanings:

Definitions.

"Commissioner", the commissioner of corporations and taxation.

"Foreign corporation", a corporation, association or organization, except an insurance company or a corporation organized for a purpose for which domestic corporations can be organized under chapter one hundred and eighty, which has been established, organized or chartered under laws other than those of the commonwealth.

G. L. 185, § 14,
amended.

SECTION 32. Section fourteen of chapter one hundred and eighty-five of the General Laws is hereby amended by striking out, in the tenth to fifteenth lines, inclusive, the words "The salaries of the several assistant recorders, in lieu of compensation on the basis of fees received, shall be equal to the compensation received by them or their predecessors in their respective capacities as assistant recorders for the year ending July first, nineteen hundred and seventeen, plus ten per cent of such sum."

Salaries of
assistant
recorders of
land court,
provisions
stricken out.

G. L. 218, § 55,
amended.

SECTION 33. Chapter two hundred and eighteen of the General Laws is hereby amended by striking out section fifty-five and inserting in place thereof the following: — *Section 55.* The justices of said court may employ stenographic service for the court to an amount not exceeding three thousand dollars yearly. Said court may secure for its criminal business medical service, and the equipment necessary therefor, and for this purpose may expend annually such sum, not exceeding ten thousand dollars, as the justices of said court may from time to time determine, subject to the approval of the mayor of Boston. Sums so expended shall be paid by Suffolk county upon vouchers approved by the chief justice of said court.

Boston
municipal
court.
Stenographic
and medical
service, and
equipment.

SECTION 34. Section ninety-six of chapter two hundred and twenty-one of the General Laws is hereby amended by striking out the words "state treasurer" in line two, and inserting in place thereof the words:— treasurers of the respective counties, — and by adding at the end thereof the following:— No salary of a clerk or assistant clerk in office on October twenty-third, nineteen hundred and nineteen, shall be diminished by the classification established by the two preceding sections or by any readjustment under this section, — so as to read as follows:— *Section 96.* In the year following each state and national census, the treasurers of the respective counties shall adjust the salaries provided for in the two preceding sections in accordance with said sections, on the basis of said census, and the salaries so adjusted shall be allowed from January first in the year of adjustment. No salary of a clerk or assistant clerk in office on October twenty-third, nineteen hundred and nineteen, shall be diminished by the classification established by the two preceding sections or by any readjustment under this section.

G. L. 221, § 96, amended.

Adjustment of salaries of clerks of courts and assistants.

SECTION 35. Section two of chapter two hundred and twenty-nine of the General Laws is hereby amended by striking out the comma after the word "assessed" in the sixth line, and inserting in place thereof the words:— with reference to the degree of culpability of the defendant or of his or its servants or agents, and, — so as to read as follows:— *Section 2.* If the proprietor of a common carrier of passengers, except a railroad corporation or street railway or electric railroad company, by reason of his or its negligence, or by reason of the unfitness or gross negligence or carelessness of his or its servants or agents, causes the death of a passenger, he or it shall be liable in damages in the sum of not less than five hundred nor more than five thousand dollars, to be assessed with reference to the degree of culpability of the defendant or of his or its servants or agents, and recovered and distributed as provided in section one, and to the use of the persons and in the proportions, therein specified.

G. L. 229, § 2, amended.

Damages for death by negligence of certain common carriers.

SECTION 36. Section one hundred and three of chapter two hundred and thirty-one of the General Laws is hereby amended by adding at the end thereof the words:— This and the seven following sections shall not apply to actions under chapter two hundred and thirty-nine.

G. L. 231, § 103, amended.

Appeals.

G. L. 246,
§ 6, amended.

SECTION 37. Section six of chapter two hundred and forty-six of the General Laws is hereby amended by inserting after the word "thirty-eight" in the fourth line, the words: — or thirty-nine, — and by adding at the end thereof the words: — or the commissioner of insurance, — so as to read as follows: — *Section 6.* When a foreign corporation having a usual place of business in the commonwealth is summoned as trustee in an action against one of its employees, service of the writ may be made as provided in section thirty-eight or thirty-nine of chapter two hundred and twenty-three, or upon any paymaster or other officer or agent of the corporation whose duty it is to pay such employee, and such service shall be as binding upon the corporation as if it had been made upon the commissioner of corporations and taxation or the commissioner of insurance.

G. L. 281, § 9,
amended.

SECTION 38. Section nine of chapter two hundred and eighty-one of the General Laws is hereby amended by adding at the end thereof the words: — If a shorter period of time is prescribed by the General Laws in any matter relating to wills or to the administration of the estates of deceased persons, and the limitation has begun to run, it shall continue to run for the time fixed by the law in effect at the time when it began to run, notwithstanding the repeal thereof by the General Laws, — so as to read as follows: — *Section 9.* If a limitation or period of time prescribed in any of the acts repealed for acquiring a right, barring a remedy or any other purpose has begun to run, and the same or a similar limitation is prescribed in the General Laws, the time of limitation shall continue to run and shall have like effect as if the whole period had begun and ended under the operation of the General Laws. If a shorter period of time is prescribed by the General Laws in any matter relating to wills or to the administration of the estates of deceased persons, and the limitation has begun to run, it shall continue to run for the time fixed by the law in effect at the time when it began to run, notwithstanding the repeal thereof by the General Laws.

Periods of
limitation to
continue to
run.

Certain acts
and resolves
repealed.

SECTION 39. The following acts and resolves, and parts of acts and resolves, are hereby repealed: — Resolves of eighteen hundred and fifty-three, chapter sixty-two. Acts of eighteen hundred and ninety-five, chapter three hundred and five, section five. Acts of eighteen hundred and ninety-nine, chapter four hundred and twenty-four, except sections eight and fourteen. Acts of nineteen hundred and

two, chapters one hundred and fifty-seven, one hundred and sixty-nine and two hundred and twenty-five. Acts of nineteen hundred and three, chapters one hundred and forty-seven and two hundred and three. Acts of nineteen hundred and five, chapter three hundred and ten. Acts of nineteen hundred and eight, chapter three hundred and forty-two. Acts of nineteen hundred and nine, chapter two hundred and thirty-seven. Resolves of nineteen hundred and eleven, chapter one hundred and three. Acts of nineteen hundred and twelve, chapter five hundred and twenty-eight. Acts of nineteen hundred and thirteen, chapters four hundred and thirty-four and six hundred and seventy. General Acts of nineteen hundred and fifteen, chapter eighty. General Acts of nineteen hundred and seventeen, chapter five, section two. Special Acts of nineteen hundred and seventeen, chapters one hundred and twenty-three and two hundred and forty-four. Special Acts of nineteen hundred and eighteen, chapters one hundred and nineteen and one hundred and sixty. General Acts of nineteen hundred and nineteen, chapters one hundred and eighty-two, one hundred and eighty-five and two hundred and sixty. Special Acts of nineteen hundred and nineteen, chapter two hundred and forty-six. Acts of nineteen hundred and twenty, chapter one hundred and eight, section one, chapter five hundred and thirty-two, section one, chapter five hundred and sixty-five, section one, and chapter six hundred and thirty, except section twenty-three.

SECTION 40. The following acts and parts of acts, repealed by chapter two hundred and eighty-two of the General Laws, are hereby revived and re-enacted:— Acts of nineteen hundred and six, chapter four hundred and sixty-three, Part III, section two. Acts of nineteen hundred and nine, chapter four hundred and ninety, Part II, section seventy-six.

Certain acts revived and re-enacted.

SECTION 41. Chapter three of the General Laws is hereby amended by striking out section twenty-four and inserting in place thereof the following:— *Section 24.* All proposed amendments to the constitution which have been agreed to in joint session of the two houses of the general court in the manner prescribed by the constitution shall be engrossed on parchment or parchment paper, certified by the clerk of such joint session, and deposited in the office of the state secretary.

G. L. 3, § 24, amended.

Engrossment of proposed amendments to the constitution.

Approved May 27, 1921.

Chap. 487 AN ACT TO AMEND THE LAWS FOR THE RETIREMENT OF CERTAIN STATE EMPLOYEES AND JUDGES OF PROBATE AND INSOLVENCY.

Be it enacted, etc., as follows:

G. L. 32, § 68,
amended.

Pensions for
officers or in-
spectors of de-
partment of
public safety,
etc.

SECTION 1. Chapter thirty-two of the General Laws is hereby amended by striking out section sixty-eight and inserting in place thereof the following: — *Section 68.* Any officer or inspector of the department of public safety, who began continuous service prior to July first, nineteen hundred and twenty-one, if in the judgment of the commissioner of public safety he is disabled for useful service in the department and a physician designated by said commissioner certifies that he is permanently incapacitated, either physically or mentally, for the further performance of his duty in the department, by injuries sustained through no fault of his own in the actual performance of his duty, or any such officer or inspector of said department who has performed continuous faithful service for the commonwealth for not less than twenty years, if in the judgment of said commissioner he is incapacitated for further service as a member of the department, shall, if he so requests, be retired, and shall annually receive a pension from the commonwealth equal to one half the compensation received by him at the time of his retirement. Said commissioner may in an emergency call upon any person so pensioned for such temporary service as a member of the department as he may be fitted to perform, and during such service there shall be paid to him the difference between the rate of full pay for such employment and the rate of pension received by him. Any former inspector of the district police transferred to the state board of labor and industries under authority of section eight of chapter seven hundred and twenty-six of the acts of nineteen hundred and twelve shall, for the purposes of this section, be deemed an inspector of the department of public safety.

Former in-
spectors of
district police
entitled to
pensions, etc.

G. L. 32, § 69,
amended.

Pensions for
permanent
members of
police depart-
ment of metro-
politan district
commission.

SECTION 2. Said chapter thirty-two is hereby further amended by striking out section sixty-nine and inserting in place thereof the following: — *Section 69.* The metropolitan district commission shall, at the request of any permanent member of its police department who began continuous service prior to July first, nineteen hundred and twenty-one, if in the judgment of said commission he is disabled for useful

service in said department, retire from active service and place upon a pension roll such member if a physician selected by the commission certifies in writing that he is permanently disabled, either mentally or physically, by injuries sustained through no fault of his own in the actual performance of his duty, from further performing duty as such member, or any such permanent member of said department who has performed faithful continuous service therein for not less than twenty years, if in the judgment of the commission said member is incapacitated for useful service as a police officer; and every member so retired shall annually receive as a pension one half the amount of compensation received by him at the time of his retirement. The commission may in case of emergency call upon any person pensioned under this section for such temporary service as a police officer as he may be fitted to perform, and during such service there shall be paid to him the difference between the rate of full pay for such employment and the rate of pension received by him.

SECTION 3. Section seventy-one of said chapter thirty-two is hereby amended by inserting after the word "department", in the first and second lines, the words: — who began continuous service prior to July first, nineteen hundred and twenty-one, — so as to read as follows: — *Section 71.* If any permanent police officer of said police department who began continuous service prior to July first, nineteen hundred and twenty-one, or any call officer dies from injuries received while in the discharge of his duty in the service of the commission and leaves a widow, or if no widow, any child or children under the age of sixteen, a sum not exceeding one thousand dollars may be paid as an annuity to such widow so long as she remains unmarried, or for the benefit of such child or children so long as he or any one of them continues under the age of sixteen, and the commission may from time to time determine the amount of such annuity within the limits aforesaid. The provisions of this and the two preceding sections as to pensions or annuities for disability or death resulting from injuries received in the performance of duty shall apply to officers assigned to duty under the commissioner of public safety as provided in section four of chapter one hundred and forty-seven.

G. L. 32, § 71,
amended.

Annuities to
families of
metropolitan
police.

Provisions
apply to
certain officers
assigned to
duty under
commissioner
of public
safety.

SECTION 4. Section two of said chapter thirty-two is hereby amended by striking out all after the word "final", in the sixty-first line, and inserting in place thereof the following: — (9) Any member who is found by the board, after

G. L. 32, § 2,
amended.

State retire-
ment associa-

tion, incapacity
of member.

examination by one or more physicians selected by the board, to have been permanently incapacitated, mentally or physically, by injuries sustained through no fault of his own while in the actual performance of his duty, from the further performance of such duty, may be retired, irrespective of age and of his period of service, and shall receive yearly payments as follows: (a) an annuity at his age nearest birthday, as provided by section five (2) *B*; (b) such a pension from the commonwealth that the sum of the annuity under section five (2) *B* (a) and the pension shall equal one half the annual salary received by him at the time when the injury was received. Except as otherwise provided, a person retired under this paragraph shall not receive from the commonwealth any other sum by way of annuity, pension or compensation. In case of emergency, a retired officer or inspector of the department of public safety or a retired permanent member of the metropolitan district police may be called upon by the proper authority for such temporary active duty as such officer or inspector is able to perform, and there shall be paid to him for such service the difference between the rate of full pay and the rate of pension received by him. Application for disability retirement hereunder shall be made in writing within two years after the date of the applicant's last salary payment, and pension and annuity payments granted under this paragraph shall be payable only from the date of receipt by the board of such application. The board may require re-examinations from time to time of any member of the association pensioned under this paragraph or under paragraph (8), and if the disability or incapacity is found no longer to exist the pension shall cease and there shall be refunded to such member such sum, if any, as the board finds then remaining to his credit in the annuity fund.

G. L. 32, § 2,
amended.

State retire-
ment associa-
tion, pension to
member's
family.

SECTION 5. Section two of said chapter thirty-two is hereby further amended by adding at the end thereof the following new paragraph: — (10) If any member is found by the board to have died from injuries received while in the discharge of his duty, and leaves a widow, or if no widow any child or children under the age of sixteen, a pension equal to the retirement allowance to which such member would have been entitled under paragraph (9) had he been permanently incapacitated shall be paid to such widow so long as she remains unmarried, or for the benefit of such

child or children so long as he or any one of them continues under the age of sixteen. A person receiving a pension under this paragraph shall not receive from the commonwealth any other sum by way of annuity, pension or compensation.

SECTION 6. Section four (2) B of said chapter thirty-two is hereby amended by adding after paragraph (d) the following paragraph:— (e) Each month, such amount as the board may determine to be necessary to pay current pensions on account of disability, permanent incapacitation or death under paragraph (8), (9) or (10) of section two.

G. L. 32, § 4,
(2) B,
amended.
Common-
wealth's con-
tributions to
state retire-
ment fund.

SECTION 7. Section sixty-three of said chapter thirty-two is hereby amended by inserting at the end of the second sentence the following:— The two preceding sections shall not apply to judges of probate and insolvency appointed after July first, nineteen hundred and twenty-one. Any such judge of probate and insolvency retired under article fifty-eight of the amendments to the constitution shall on retirement be entitled to receive a pension equal to one half the salary which a like judge was entitled to receive immediately prior to said date.

G. L. 32, § 63,
amended.
Pensions for
certain
justices, etc.

SECTION 8. Said chapter thirty-two is hereby further amended by striking out section seventy-four and inserting in place thereof the following:— *Section 74.* Any woman who entered the continuous employ of the superintendent of buildings or the sergeant-at-arms as a cleaner and scrub-woman prior to July first, nineteen hundred and twenty-one, if she has reached the age of sixty and has been in such employ for not less than fifteen years and has become physically or mentally incapacitated for labor, or any such employee if she has been in such employ for not less than ten years and has become physically or mentally incapacitated for labor by reason of any injury received in the performance of her duties, may, with the approval of the superintendent, be retired from service, and if so retired she shall receive from the commonwealth for the remainder of her life the sum of three dollars per week; provided, that any such employee may, upon written application to the state board of retirement within one year after July first, nineteen hundred and twenty-one, become a member of the state retirement association and she shall thereby be held to have waived any benefits to which she may be entitled under this section.

G. L. 32, § 74,
amended.

Pensions for
cleaners and
scrubwomen
in state house.

Proviso.

Approved May 27, 1921.

Chap.488 AN ACT EXTENDING THE DURATION OF AN ACT TO PROVIDE THAT UNJUST, UNREASONABLE AND OPPRESSIVE AGREEMENTS SHALL BE UNENFORCEABLE.

Be it enacted, etc., as follows:

1920, 578, § 3,
amended.

Section three of chapter five hundred and seventy-eight of the acts of nineteen hundred and twenty is hereby amended by striking out, in the last line, the word "twenty-two" and inserting in place thereof the word: — twenty-three, — so as to read as follows: — *Section 3.* The act shall become null and void on the first day of February in the year nineteen hundred and twenty-three. *Approved May 27, 1921.*

Certain rent
act void
February 1,
1923.

Chap.489 AN ACT EXTENDING FURTHER THE DURATION OF AN ACT RELATIVE TO TERMINATION OF TENANCIES AT WILL.

Be it enacted, etc., as follows:

1919, 257 (G),
§ 2, etc.,
amended.

Section two of chapter two hundred and fifty-seven of the General Acts of nineteen hundred and nineteen, as amended by chapter five hundred and thirty-eight of the acts of nineteen hundred and twenty, is hereby further amended by striking out, in the last line, the word "twenty-two" and inserting in place thereof the word: — twenty-three, — so as to read as follows: — *Section 2.* This act shall take effect upon its passage, but shall become null and void on the first day of February in the year nineteen hundred and twenty-three. *Approved May 27, 1921.*

Tenancies at
will act void
February 1,
1923.

Chap.490 AN ACT EXTENDING THE DURATION OF AN ACT TO PROVIDE FOR A DISCRETIONARY STAY OF PROCEEDINGS IN ACTIONS OF SUMMARY PROCESS.

Be it enacted, etc., as follows:

1920, 577, § 6,
amended.

Section six of chapter five hundred and seventy-seven of the acts of nineteen hundred and twenty is hereby amended by striking out, in the last line, the word "twenty-two" and inserting in place thereof the word: — twenty-three, — so as to read as follows: — *Section 6.* This act shall become null and void on the first day of February in the year nineteen hundred and twenty-three. *Approved May 27, 1921.*

Certain act
void February
1, 1923.

AN ACT EXTENDING THE DURATION OF AN ACT TO PENALIZE *Chap.491*
THE VIOLATION OF CERTAIN RIGHTS OF TENANTS.

Be it enacted, etc., as follows:

Section two of chapter five hundred and fifty-five of the acts of nineteen hundred and twenty is hereby amended by striking out, in the last line, the word "twenty-two" and inserting in place thereof the word:—twenty-three,—so as to read as follows:—*Section 2.* This act shall become null and void on the first day of February in the year nineteen hundred and twenty-three. *Approved May 27, 1921.*

1920, 555, § 2,
amended.

Certain
act void
February 1,
1923.

AN ACT TO APPORTION AND ASSESS A STATE TAX OF FOUR- *Chap.492*
TEEN MILLION DOLLARS.

Whereas, A delay in the taking effect of this act would cause great inconvenience in the collection of the state tax, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

SECTION 1. Each city and town in the commonwealth shall be assessed and pay the sum with which it stands charged in the following schedule, that is to say:—

State tax
apportioned
and assessed.

Abington, thirteen thousand three hundred dollars, .	\$13,300 00
Acton, seventy-one hundred and forty dollars, . .	7,140 00
Acushnet, fifty-one hundred and eighty dollars, . .	5,180 00
Adams, twenty-seven thousand five hundred and eighty dollars,	27,580 00
Agawam, twelve thousand three hundred and twenty dollars,	12,320 00
Alford, five hundred and sixty dollars,	560 00
Amesbury, twenty-five thousand three hundred and forty dollars,	25,340 00
Amherst, seventeen thousand seven hundred and eighty dollars,	17,780 00
Andover, twenty-five thousand nine hundred dollars,	25,900 00
Arlington, fifty-six thousand seven hundred dollars, .	56,700 00
Ashburnham, forty-seven hundred and sixty dollars, .	4,760 00
Ashby, twenty-six hundred and sixty dollars, . . .	2,660 00
Ashfield, twenty-eight hundred dollars,	2,800 00
Ashland, fifty-one hundred and eighty dollars, . .	5,180 00
Athol, thirty-one thousand six hundred and forty dollars,	31,640 00

State tax
apportioned
and assessed.

Attleboro, fifty-nine thousand three hundred and sixty dollars,	\$59,360 00
Auburn, sixty-five hundred and eighty dollars,	6,580 00
Avon, thirty-seven hundred and eighty dollars,	3,780 00
Ayer, ninety-six hundred and sixty dollars,	9,660 00
Barnstable, twenty-three thousand two hundred and forty dollars,	23,240 00
Barre, eighty-eight hundred and twenty dollars,	8,820 00
Becket, twenty-two hundred and forty dollars,	2,240 00
Bedford, fifty-four hundred and sixty dollars,	5,460 00
Belchertown, thirty-three hundred and sixty dollars,	3,360 00
Bellingham, forty-three hundred and forty dollars,	4,340 00
Belmont, thirty-six thousand eight hundred and twenty dollars,	36,820 00
Berkley, eighteen hundred and twenty dollars,	1,820 00
Berlin, nineteen hundred and sixty dollars,	1,960 00
Bernardston, eighteen hundred and twenty dollars,	1,820 00
Beverly, one hundred thousand six hundred and sixty dollars,	100,660 00
Billerica, seventeen thousand nine hundred and twenty dollars,	17,920 00
Blackstone, sixty-one hundred and sixty dollars,	6,160 00
Blandford, twenty-one hundred dollars,	2,100 00
Bolton, twenty-two hundred and forty dollars,	2,240 00
Boston, four million two hundred sixty-two thousand three hundred dollars,	4,262,300 00
Bourne, fifteen thousand eight hundred and twenty dollars,	15,820 00
Boxborough, eight hundred and forty dollars,	840 00
Boxford, twenty-three hundred and eighty dollars,	2,380 00
Boylston, eighteen hundred and twenty dollars,	1,820 00
Braintree, twenty-seven thousand seven hundred and twenty dollars,	27,720 00
Brewster, twenty-two hundred and forty dollars,	2,240 00
Bridgewater, sixteen thousand five hundred and twenty dollars,	16,520 00
Brimfield, twenty-one hundred dollars,	2,100 00
Brockton, one hundred eighty-nine thousand seven hundred dollars,	189,700 00
Brookfield, fifty-one hundred and eighty dollars,	5,180 00
Brookline, two hundred fifty thousand and forty dollars,	250,040 00
Buckland, sixty-three hundred dollars,	6,300 00
Burlington, three thousand and eighty dollars,	3,080 00
Cambridge, four hundred two thousand, nine hundred and twenty dollars,	402,920 00
Canton, eighteen thousand four hundred and eighty dollars,	18,480 00
Carlisle, fourteen hundred dollars,	1,400 00
Carver, fifty-three hundred and twenty dollars,	5,320 00
Charlemont, twenty-one hundred dollars,	2,100 00
Charlton, forty-seven hundred and sixty dollars,	4,760 00

Chatham, sixty-five hundred and eighty dollars, . . .	\$6,580 00	State tax apportioned and assessed.
Chelmsford, fifteen thousand nine hundred and sixty dollars, . . .	15,960 00	
Chelsea, one hundred and twelve thousand dollars, . .	112,000 00	
Cheshire, twenty-nine hundred and forty dollars, . .	2,940 00	
Chester, three thousand and eighty dollars, . . .	3,080 00	
Chesterfield, twelve hundred and sixty dollars, . . .	1,260 00	
Chicopee, one hundred one thousand nine hundred and twenty dollars, . . .	101,920 00	
Chilmark, twelve hundred and sixty dollars, . . .	1,260 00	
Clarksburg, fourteen hundred dollars, . . .	1,400 00	
Clinton, thirty-one thousand two hundred and twenty dollars, . . .	31,220 00	
Cohasset, sixteen thousand six hundred and sixty dollars, . . .	16,660 00	
Colrain, thirty-six hundred and forty dollars, . . .	3,640 00	
Concord, twenty-one thousand one hundred and forty dollars, . . .	21,140 00	
Conway, twenty-six hundred and sixty dollars, . . .	2,660 00	
Cummington, eleven hundred and twenty dollars, . .	1,120 00	
Dalton, twelve thousand three hundred and twenty dollars, . . .	12,320 00	
Dana, fourteen hundred dollars, . . .	1,400 00	
Danvers, twenty-five thousand seven hundred and sixty dollars, . . .	25,760 00	
Dartmouth, seventeen thousand two hundred and twenty dollars, . . .	17,220 00	
Dedham, thirty-nine thousand two hundred dollars, . .	39,200 00	
Deerfield, ninety-nine hundred and forty dollars, . .	9,940 00	
Dennis, forty-two hundred dollars, . . .	4,200 00	
Dighton, seventy-nine hundred and eighty dollars, . .	7,980 00	
Douglas, six thousand and twenty dollars, . . .	6,020 00	
Dover, seventy-seven hundred dollars, . . .	7,700 00	
Dracut, eighty-four hundred dollars, . . .	8,400 00	
Dudley, ninety-six hundred and sixty dollars, . . .	9,660 00	
Dunstable, fourteen hundred dollars, . . .	1,400 00	
Duxbury, ninety-one hundred dollars, . . .	9,100 00	
East Bridgewater, eleven thousand three hundred and forty dollars, . . .	11,340 00	
East Longmeadow, five thousand and forty dollars, . .	5,040 00	
Eastham, twelve hundred and sixty dollars, . . .	1,260 00	
Easthampton, thirty-two thousand two hundred dol- lars, . . .	32,200 00	
Easton, twelve thousand four hundred and sixty dollars, .	12,460 00	
Edgartown, forty-six hundred and twenty dollars, . .	4,620 00	
Egremont, eighteen hundred and twenty dollars, . . .	1,820 00	
Enfield, nineteen hundred and sixty dollars, . . .	1,960 00	
Erving, five thousand and forty dollars, . . .	5,040 00	
Essex, four thousand and sixty dollars, . . .	4,060 00	
Everett, one hundred sixteen thousand three hundred and forty dollars, . . .	116,340 00	
Fairhaven, seventeen thousand seven hundred and eighty dollars, . . .	17,780 00	

State tax
apportioned
and assessed.

Fall River, three hundred seventy-five thousand seven hundred and sixty dollars,	\$375,760 00
Falmouth, nineteen thousand one hundred and eighty dollars,	19,180 00
Fitchburg, one hundred thirty-three thousand two hundred and eighty dollars,	133,280 00
Florida, twenty-six hundred and sixty dollars,	2,660 00
Foxborough, eighty-eight hundred and twenty dollars,	8,820 00
Framingham, sixty-three thousand eight hundred and forty dollars,	63,840 00
Franklin, sixteen thousand nine hundred and forty dollars,	16,940 00
Freetown, thirty-seven hundred and eighty dollars,	3,780 00
Gardner, thirty-seven thousand three hundred and eighty dollars,	37,380 00
Gay Head, one hundred and forty dollars,	140 00
Georgetown, thirty-nine hundred and twenty dollars,	3,920 00
Gill, nineteen hundred and sixty dollars,	1,960 00
Gloucester, eighty thousand five hundred dollars,	80,500 00
Goshen, eight hundred and forty dollars,	840 00
Gosnold, twenty-three hundred and eighty dollars,	2,380 00
Grafton, thirteen thousand and twenty dollars,	13,020 00
Granby, twenty-two hundred and forty dollars,	2,240 00
Granville, sixteen hundred and eighty dollars,	1,680 00
Great Barrington, twenty-three thousand six hundred and sixty dollars,	23,660 00
Greenfield, forty-eight thousand four hundred and forty dollars,	48,440 00
Greenwich, nine hundred and eighty dollars,	980 00
Groton, eighty-five hundred and forty dollars,	8,540 00
Groveland, forty-four hundred and eighty dollars,	4,480 00
Hadley, seventy-one hundred and forty dollars,	7,140 00
Halifax, twenty-one hundred dollars,	2,100 00
Hamilton, ten thousand six hundred and forty dollars,	10,640 00
Hampden, fourteen hundred dollars,	1,400 00
Hancock, eleven hundred and twenty dollars,	1,120 00
Hanover, sixty-three hundred dollars,	6,300 00
Hanson, sixty-five hundred and eighty dollars,	6,580 00
Hardwick, twelve thousand three hundred and twenty dollars,	12,320 00
Harvard, fifty-four hundred and sixty dollars,	5,460 00
Harwich, fifty-six hundred dollars,	5,600 00
Hatfield, sixty-three hundred dollars,	6,300 00
Haverhill, one hundred forty-nine thousand eight hundred dollars,	149,800 00
Hawley, eight hundred and forty dollars,	840 00
Heath, eight hundred and forty dollars,	840 00
Hingham, nineteen thousand six hundred dollars,	19,600 00
Hinsdale, twenty-three hundred and eighty dollars,	2,380 00
Holbrook, sixty-three hundred dollars,	6,300 00

Holden, sixty-seven hundred and twenty dollars, . . .	\$6,720 00	State tax apportioned and assessed.
Holland, four hundred and twenty dollars, . . .	420 00	
Holliston, sixty-three hundred dollars, . . .	6,300 00	
Holyoke, two hundred fifteen thousand seven hundred and forty dollars, . . .	215,740 00	
Hopedale, fifteen thousand four hundred dollars, . . .	15,400 00	
Hopkinton, fifty-seven hundred and forty dollars, . . .	5,740 00	
Hubbardston, twenty-three hundred and eighty dollars, . . .	2,380 00	
Hudson, sixteen thousand three hundred and eighty dollars, . . .	16,380 00	
Hull, twenty-eight thousand four hundred and twenty dollars, . . .	28,420 00	
Huntington, twenty-eight hundred dollars, . . .	2,800 00	
Ipswich, eighteen thousand three hundred and forty dollars, . . .	18,340 00	
Kingston, fifty-three hundred and twenty dollars, . . .	5,320 00	
Lakeville, thirty-six hundred and forty dollars, . . .	3,640 00	
Lancaster, sixty-eight hundred and sixty dollars, . . .	6,860 00	
Lanesborough, twenty-five hundred and twenty dollars, . . .	2,520 00	
Lawrence, two hundred seventy thousand four hundred and eighty dollars, . . .	270,480 00	
Lee, ten thousand two hundred and twenty dollars, . . .	10,220 00	
Leicester, eighty-six hundred and eighty dollars, . . .	8,680 00	
Lenox, nineteen thousand four hundred and sixty dollars, . . .	19,460 00	
Leominster, forty-six thousand seven hundred and sixty dollars, . . .	46,760 00	
Leverett, fourteen hundred dollars, . . .	1,400 00	
Lexington, twenty-three thousand eight hundred dollars, . . .	23,800 00	
Leyden, eight hundred and forty dollars, . . .	840 00	
Lincoln, fifty-three hundred and twenty dollars, . . .	5,320 00	
Littleton, thirty-seven hundred and eighty dollars, . . .	3,780 00	
Longmeadow, eleven thousand two hundred dollars, . . .	11,200 00	
Lowell, two hundred ninety-eight thousand four hundred and eighty dollars, . . .	298,480 00	
Ludlow, nineteen thousand four hundred and sixty dollars, . . .	19,460 00	
Lunenburg, forty-seven hundred and sixty dollars, . . .	4,760 00	
Lynn, two hundred ninety-two thousand and forty dollars, . . .	292,040 00	
Lynnfield, forty-four hundred and eighty dollars, . . .	4,480 00	
Malden, one hundred twenty-three thousand two hundred dollars, . . .	123,200 00	
Manchester, thirty-one thousand seven hundred and eighty dollars, . . .	31,780 00	
Mansfield, eighteen thousand six hundred and twenty dollars, . . .	18,620 00	
Marblehead, thirty-one thousand two hundred and twenty dollars, . . .	31,220 00	
Marion, eighty-eight hundred and twenty dollars, . . .	8,820 00	

State tax
apportioned
and assessed.

Marlborough, thirty-six thousand six hundred and eighty dollars,	\$36,680 00
Marshfield, seventy-four hundred and twenty dollars,	7,420 00
Mashpee, twelve hundred and sixty dollars,	1,260 00
Mattapoisett, five thousand and forty dollars,	5,040 00
Maynard, fourteen thousand two hundred and eighty dollars,	14,280 00
Medfield, sixty-one hundred and sixty dollars,	6,160 00
Medford, ninety-nine thousand one hundred and twenty dollars,	99,120 00
Medway, fifty-seven hundred and forty dollars,	5,740 00
Melrose, fifty-four thousand six hundred dollars,	54,600 00
Mendon, twenty-two hundred and forty dollars,	2,240 00
Merrimac, five thousand and forty dollars,	5,040 00
Methuen, forty thousand seven hundred and forty dollars,	40,740 00
Middleborough, sixteen thousand nine hundred and forty dollars,	16,940 00
Middlefield, seven hundred dollars,	700 00
Middleton, twenty-nine hundred and forty dollars,	2,940 00
Milford, thirty-one thousand two hundred and twenty dollars,	31,220 00
Millbury, twelve thousand seven hundred and forty dollars,	12,740 00
Millis, fifty-six hundred dollars,	5,600 00
Millville, thirty-nine hundred and twenty dollars,	3,920 00
Milton, fifty-two thousand nine hundred and twenty dollars,	52,920 00
Monroe, eight hundred and forty dollars,	840 00
Monson, sixty-eight hundred and sixty dollars,	6,860 00
Montague, twenty-four thousand three hundred and sixty dollars,	24,360 00
Monterey, twelve hundred and sixty dollars,	1,260 00
Montgomery, five hundred and sixty dollars,	560 00
Mount Washington, four hundred and twenty dollars,	420 00
Nahant, eleven thousand seven hundred and sixty dollars,	11,760 00
Nantucket, fourteen thousand five hundred and sixty dollars,	14,560 00
Natick, twenty-six thousand six hundred dollars,	26,600 00
Needham, twenty-eight thousand eight hundred and forty dollars,	28,840 00
New Ashford, two hundred and eighty dollars,	280 00
New Bedford, three hundred eighty-five thousand seven hundred dollars,	385,700 00
New Braintree, twelve hundred and sixty dollars,	1,260 00
New Marlborough, thirty-two hundred and twenty dollars,	3,220 00
New Salem, fifteen hundred and forty dollars,	1,540 00
Newbury, fifty-seven hundred and forty dollars,	5,740 00
Newburyport, thirty-seven thousand two hundred and forty dollars,	37,240 00

		State tax apportioned and assessed.
Newton, two hundred thirteen thousand and eighty dollars, . . .	\$213,080 00	
Norfolk, thirty-six hundred and forty dollars, . . .	3,640 00	
North Adams, fifty-four thousand seven hundred and forty dollars, . . .	54,740 00	
North Andover, twenty-four thousand three hundred and sixty dollars, . . .	24,360 00	
North Attleborough, twenty-five thousand seven hundred and sixty dollars, . . .	25,760 00	
North Brookfield, sixty-three hundred dollars, . . .	6,300 00	
North Reading, thirty-two hundred and twenty dollars, . . .	3,220 00	
Northampton, fifty-eight thousand three hundred and eighty dollars, . . .	58,380 00	
Northborough, fifty-six hundred dollars, . . .	5,600 00	
Northbridge, twenty-five thousand nine hundred dollars, . . .	25,900 00	
Northfield, forty-six hundred and twenty dollars, . . .	4,620 00	
Norton, fifty-seven hundred and forty dollars, . . .	5,740 00	
Norwell, thirty-seven hundred and eighty dollars, . . .	3,780 00	
Norwood, fifty-three thousand six hundred and twenty dollars, . . .	53,620 00	
Oak Bluffs, fifty-eight hundred and eighty dollars, . . .	5,880 00	
Oakham, twelve hundred and sixty dollars, . . .	1,260 00	
Orange, fourteen thousand one hundred and forty dollars, . . .	14,140 00	
Orleans, seventy-one hundred and forty dollars, . . .	7,140 00	
Otis, eleven hundred and twenty dollars, . . .	1,120 00	
Oxford, seventy-four hundred and twenty dollars, . . .	7,420 00	
Palmer, twenty-three thousand eight hundred dollars, . . .	23,800 00	
Paxton, eleven hundred and twenty dollars, . . .	1,120 00	
Peabody, seventy-two thousand three hundred and eighty dollars, . . .	72,380 00	
Pelham, fifteen hundred and forty dollars, . . .	1,540 00	
Pembroke, four thousand and sixty dollars, . . .	4,060 00	
Pepperell, seventy-seven hundred dollars, . . .	7,700 00	
Peru, seven hundred dollars, . . .	700 00	
Petersham, twenty-nine hundred and forty dollars, . . .	2,940 00	
Phillipston, nine hundred and eighty dollars, . . .	980 00	
Pittsfield, one hundred twenty thousand five hundred and forty dollars, . . .	120,540 00	
Plainfield, seven hundred dollars, . . .	700 00	
Plainville, thirty-two hundred and twenty dollars, . . .	3,220 00	
Plymouth, forty-nine thousand four hundred and twenty dollars, . . .	49,420 00	
Plympton, fourteen hundred dollars, . . .	1,400 00	
Prescott, seven hundred dollars, . . .	700 00	
Princeton, three thousand and eighty dollars, . . .	3,080 00	
Provincetown, ninety-three hundred and eighty dollars, . . .	9,380 00	
Quincy, one hundred forty-two thousand five hundred and twenty dollars, . . .	142,520 00	
Randolph, ninety-two hundred and forty dollars, . . .	9,240 00	

State tax
apportioned
and assessed.

Raynham, thirty-nine hundred and twenty dollars, .	\$3,920 00
Reading, twenty-three thousand five hundred and twenty dollars, .	23,520 00
Rehoboth, thirty-six hundred and forty dollars, .	3,640 00
Revere, seventy thousand four hundred and twenty dollars, .	70,420 00
Richmond, sixteen hundred and eighty dollars, .	1,680 00
Rochester, three thousand and eighty dollars, .	3,080 00
Rockland, eighteen thousand seven hundred and sixty dollars, .	18,760 00
Rockport, twelve thousand three hundred and twenty dollars, .	12,320 00
Rowe, eight hundred and forty dollars, .	840 00
Rowley, thirty-two hundred and twenty dollars, .	3,220 00
Royalston, twenty-five hundred and twenty dollars, .	2,520 00
Russell, sixty-one hundred and sixty dollars, .	6,160 00
Rutland, three thousand and eighty dollars, .	3,080 00
Salem, one hundred twenty-six thousand two hun- dred and eighty dollars, .	126,280 00
Salisbury, fifty-four hundred and sixty dollars, .	5,460 00
Sandisfield, fourteen hundred dollars, .	1,400 00
Sandwich, four thousand and sixty dollars, .	4,060 00
Saugus, twenty-two thousand eight hundred and twenty dollars, .	22,820 00
Savoy, seven hundred dollars, .	700 00
Scituate, sixteen thousand three hundred and eighty dollars, .	16,380 00
Seekonk, sixty-three hundred dollars, .	6,300 00
Sharon, ninety-five hundred and twenty dollars, .	9,520 00
Sheffield, four thousand and sixty dollars, .	4,060 00
Shelburne, fifty-four hundred and sixty dollars, .	5,460 00
Sherborn, forty-nine hundred dollars, .	4,900 00
Shirley, fifty-one hundred and eighty dollars, .	5,180 00
Shrewsbury, ten thousand two hundred and twenty dollars, .	10,220 00
Shutesbury, nine hundred and eighty dollars, .	980 00
Somerset, sixty-seven hundred and twenty dollars, .	6,720 00
Somerville, two hundred forty-five thousand four hundred and twenty dollars, .	245,420 00
South Hadley, fourteen thousand seven hundred dol- lars, .	14,700 00
Southampton, eighteen hundred and twenty dol- lars, .	1,820 00
Southborough, seventy-one hundred and forty dol- lars, .	7,140 00
Southbridge, twenty-nine thousand two hundred and sixty dollars, .	29,260 00
Southwick, three thousand and eighty dollars, .	3,080 00
Spencer, twelve thousand eight hundred and eighty dollars, .	12,880 00
Springfield, five hundred seventy-two thousand three hundred and twenty dollars, .	572,320 00
Sterling, thirty-nine hundred and twenty dollars, .	3,920 00

		State tax apportioned and assessed.
Stockbridge, eleven thousand seven hundred and sixty dollars,	\$11,760 00	
Stoneham, nineteen thousand one hundred and eighty dollars,	19,180 00	
Stoughton, seventeen thousand three hundred and sixty dollars,	17,360 00	
Stow, thirty-three hundred and sixty dollars,	3,360 00	
Sturbridge, three thousand and eighty dollars,	3,080 00	
Sudbury, four thousand and sixty dollars,	4,060 00	
Sunderland, twenty-three hundred and eighty dollars,	2,380 00	
Sutton, five thousand and forty dollars,	5,040 00	
Swampscott, thirty-eight thousand two hundred and twenty dollars,	38,220 00	
Swansea, fifty-seven hundred and forty dollars,	5,740 00	
Taunton, ninety-six thousand eight hundred and eighty dollars,	96,880 00	
Templeton, seventy-eight hundred and forty dollars,	7,840 00	
Tewksbury, seventy-five hundred and sixty dollars,	7,560 00	
Tisbury, fifty-six hundred dollars,	5,600 00	
Tolland, eight hundred and forty dollars,	840 00	
Topsfield, sixty-three hundred dollars,	6,300 00	
Townsend, four thousand and sixty dollars,	4,060 00	
Truro, fifteen hundred and forty dollars,	1,540 00	
Tyngsborough, twenty-five hundred and twenty dollars,	2,520 00	
Tyringham, nine hundred and eighty dollars,	980 00	
Upton, four thousand and sixty dollars,	4,060 00	
Uxbridge, fourteen thousand dollars,	14,000 00	
Wakefield, thirty-eight thousand nine hundred and twenty dollars,	38,920 00	
Wales, eleven hundred and twenty dollars,	1,120 00	
Walpole, twenty-three thousand nine hundred and forty dollars,	23,940 00	
Waltham, ninety-two thousand four hundred dollars,	92,400 00	
Ware, twenty thousand eight hundred and sixty dollars,	20,860 00	
Wareham, eighteen thousand seven hundred and sixty dollars,	18,760 00	
Warren, eighty-six hundred and eighty dollars,	8,680 00	
Warwick, twelve hundred and sixty dollars,	1,260 00	
Washington, eight hundred and forty dollars,	840 00	
Watertown, seventy-seven thousand one hundred and forty dollars,	77,140 00	
Wayland, seven thousand dollars,	7,000 00	
Webster, twenty-six thousand three hundred and twenty dollars,	26,320 00	
Wellesley, forty-one thousand five hundred and eighty dollars,	41,580 00	
Wellfleet, twenty-three hundred and eighty dollars,	2,380 00	

State tax
apportioned
and assessed.

Wendell, twenty-one hundred dollars,	\$2,100 00
Wenham, six thousand and twenty dollars,	6,020 00
West Boylston, thirty-two hundred and twenty dollars,	3,220 00
West Bridgewater, fifty-seven hundred and forty dollars,	5,740 00
West Brookfield, thirty-two hundred and twenty dollars,	3,220 00
West Newbury, three thousand and eighty dollars,	3,080 00
West Springfield, thirty-seven thousand eight hundred dollars,	37,800 00
West Stockbridge, twenty-two hundred and forty dollars,	2,240 00
West Tisbury, sixteen hundred and eighty dollars,	1,680 00
Westborough, ninety-nine hundred and forty dollars,	9,940 00
Westfield, forty-one thousand four hundred and forty dollars,	41,440 00
Westford, ten thousand two hundred and twenty dollars,	10,220 00
Westhampton, eight hundred and forty dollars,	840 00
Westminster, three thousand and eighty dollars,	3,080 00
Weston, thirteen thousand eight hundred and sixty dollars,	13,860 00
Westport, ninety-six hundred and sixty dollars,	9,660 00
Westwood, seven thousand dollars,	7,000 00
Weymouth, thirty-nine thousand and sixty dollars,	39,060 00
Whately, twenty-three hundred and eighty dollars,	2,380 00
Whitman, seventeen thousand three hundred and sixty dollars,	17,360 00
Wilbraham, sixty-seven hundred and twenty dollars,	6,720 00
Williamsburg, thirty-seven hundred and eighty dollars,	3,780 00
Williamstown, thirteen thousand four hundred and forty dollars,	13,440 00
Wilmington, sixty-four hundred and forty dollars,	6,440 00
Winchendon, thirteen thousand seven hundred and twenty dollars,	13,720 00
Winchester, forty-six thousand nine hundred dollars,	46,900 00
Windsor, eight hundred and forty dollars,	840 00
Winthrop, forty-five thousand six hundred and forty dollars,	45,640 00
Woburn, forty-seven thousand four hundred and sixty dollars,	47,460 00
Worcester, six hundred twenty-one thousand six hundred dollars,	621,600 00
Worthington, twelve hundred and sixty dollars,	1,260 00
Wrentham, fifty-three hundred and twenty dollars,	5,320 00
Yarmouth, fifty-six hundred dollars,	5,600 00

\$14,000,000 00

SECTION 2. The state treasurer shall forthwith send his warrant, according to the provisions of section twenty of chapter fifty-nine of the General Laws to the selectmen or assessors of each city and town taxed as aforesaid, requiring them respectively to assess the sum so charged, and to add the amount of such tax to the amount of city, town and county taxes to be assessed by them respectively on each city and town.

State treasurer
to issue
warrant.

SECTION 3. The state treasurer in his warrant shall require the selectmen or assessors to pay, or issue severally their warrant or warrants requiring the treasurers of their several cities and towns to pay to the state treasurer, on or before November fifteenth in the year nineteen hundred and twenty-one, the sums set against said cities and towns in the schedule aforesaid; and the selectmen or assessors, respectively, shall return a certificate of the names of the treasurers of their several cities and towns, with the sum which each may be required to collect, to the state treasurer at some time before September first in the year nineteen hundred and twenty-one.

Payment of
assessments by
cities and
towns.

SECTION 4. If the amount due from any city or town, as provided in this act, is not paid to the state treasurer within the time specified, then the state treasurer shall notify the treasurer of such delinquent city or town, who shall pay into the treasury of the commonwealth, in addition to the tax, such further sum as would be equal to one per cent per month during the delinquency from and after November fifteenth in the year nineteen hundred and twenty-one; and if the same remains unpaid after December first in the year nineteen hundred and twenty-one, an information may be filed by the state treasurer in the supreme judicial court, or before any justice thereof, against such delinquent city or town; and upon notice to such city or town, and a summary hearing thereon, a warrant of distress may issue against such city or town to enforce the payment of said taxes under such penalties as the court, or the justice thereof before whom the hearing is had, shall order. Nothing herein contained shall be construed to prevent the state treasurer from deducting at any time, from any moneys which may be due from the commonwealth to the delinquent city or town, the whole or any part of said tax, with the interest accrued thereon, which shall remain unpaid.

Notice to
treasurers of
delinquent
cities and
towns.

Warrant of
distress, when
to issue.

Approved May 27, 1921.

Chap. 493 AN ACT IMPOSING AN EXTRA TAX UPON THE NET INCOMES
OF CERTAIN CORPORATIONS.

Emergency
preamble.

Whereas, The deferred operation of this act would cause substantial reduction in the revenue for the current year of the commonwealth and of its cities and towns, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Excise tax upon
net incomes of
certain cor-
porations.

SECTION 1. Every corporation subject to the provisions of sections thirty to sixty, inclusive, of chapter sixty-three of the General Laws, shall pay, in addition to all other taxes, an excise tax at the rate of three quarters of one per cent of its net income as herein defined and apportioned to this commonwealth. "Net income" shall mean the net income of said corporations for the period covered by their return of income to the federal government due next prior to April first, nineteen hundred and twenty-one, subject to the provisions of the following sections.

Certain credits
not to be
allowed.

SECTION 2. Against such net income of any such corporation no credit shall be allowed for any federal war or excess profits or other income taxes or any other credit as specified in section two hundred and thirty-six of the federal revenue act of nineteen hundred and eighteen except such income received from bonds, notes or other obligations of the United States, as was included in its federal return.

Contents of
and date of
filing returns
with commis-
sioner of cor-
porations and
taxation, etc.

SECTION 3. Except as provided in section twelve, every corporation subject to the tax imposed by this act shall render to the commissioner of corporations and taxation, under oath or affirmation of its treasurer or assistant treasurer, on or before July first, nineteen hundred and twenty-one, a true copy of its last return due prior to April first, nineteen hundred and twenty-one, to the collector of internal revenue of the annual net income arising or accruing from all sources in its fiscal or calendar year next preceding, stating the name and situation of the principal place of business of the corporation; the kind of business transacted, and a list of all subsidiary companies, if any, with the location of the principal place of business of each; the gross amount of its income, received during such year from all sources, and the amount of its ordinary necessary expenses paid out of earnings in the maintenance and operation of the business and properties

of such corporation; such other information as may be requested by the United States treasury department for the purpose of ascertaining the total amount of net income taxable under the United States income tax act; the net income of such corporation after making the deductions authorized; the amount of taxes paid upon its income to the federal internal revenue department for the year next preceding the one for which such return is made; in case of a corporation which carries on business outside the commonwealth, the fair cash value of its real estate and tangible personal property in each city or town in this commonwealth, and the fair cash value of its real estate and tangible personal property located outside this commonwealth; in case of a corporation deriving profits principally from the holding or sale of intangible property, the gross receipts from its business within and without this commonwealth and the gross receipts from its business within this commonwealth.

SECTION 4. If the amount of the net income as returned by each such company to the federal collector of internal revenue is changed or corrected by the commissioner of internal revenue or by other official of the United States, such company within ten days after the receipt of notification of such change or correction shall make return under oath or affirmation to the commissioner of corporations and taxation of such changed or corrected net income upon which the tax is required to be paid to the United States. In case a corporation fails to file the return within the time prescribed, there shall be added to and become a part of the tax, as an additional tax, the sum of five dollars for every day during which such corporation is in default; but the commissioner of corporations and taxation may abate any such additional tax in whole or in part. If any deduction is made from the net income as returned, the commissioner of corporations and taxation shall certify to the auditor the amount of any tax paid upon such deduction, and the treasurer and receiver-general shall pay said amount without any further act or resolve making appropriation therefor, or if any addition is made, such corporation shall within thirty days after receipt of notice from the commissioner of corporations and taxation of the amount of such addition pay the tax thereon.

SECTION 5. The proportion of the net income taxable under this act in cases of corporations carrying on business outside of this commonwealth shall be as follows: — In the case of a corporation deriving profits principally from the

Returns to be filed when net income is changed or corrected, etc.

Penalty upon failure to file return on time, abatement, etc.

Tax on certain corporations carrying on business outside Massachusetts.

ownership, sale or rental of real estate, and in case of a corporation deriving profits principally from the sale or use of tangible personal property owned by it, such proportion as the fair cash value of its real estate and tangible personal property in this commonwealth on April first of the current year is to the fair cash value of the entire real estate and tangible personal property owned by it on that date with no deduction on account of any encumbrance thereon.

Profits from sale of intangible property.

In the case of a corporation deriving profits principally from the holding or sale of intangible property such proportion as its gross receipts assignable to this commonwealth for the year covered by its return is to its gross receipts for such year within and without the commonwealth.

Commissioner to determine proportion in certain cases.

In case neither of the above methods is applicable, the commissioner of corporations and taxation shall determine, in such manner as he deems equitable, the proportion of the net income received from business carried on within this commonwealth.

Applicability of apportionment.

The apportionment of net income to this commonwealth as provided in this section shall apply to all corporations, domestic or foreign, which are taxable under this act.

Commissioner to make list of companies subject to the tax, etc., and deliver copy to state treasurer for collection, etc.

SECTION 6. The commissioner of corporations and taxation, on or before September twentieth in the current year, shall make a list of companies subject to the tax computed upon their net incomes, with the amount apportioned to this commonwealth, as provided in section five, and a tax shall be levied on each of said corporations of three quarters of one per cent of such income, and the commissioner of corporations and taxation shall enter the amount of such tax against the name of each of said corporations. He shall certify to the correctness of the said list and of said amounts and deliver a copy thereof to the treasurer and receiver-general, who shall collect such tax in the manner and with the powers provided in chapter sixty-three of the General Laws. The commissioner of corporations and taxation shall forthwith mail a statement of the amount of such tax to each of said corporations, but failure to receive such statement shall not excuse non-payment of the tax. Within ten days after the date of such notice the corporation may apply for a correction of said tax, and may be heard thereon by the board of appeal provided for by section twenty-one of chapter six of the General Laws, and the decision of said board shall be final and conclusive. Such tax shall be payable on or before October twentieth in the current year, and to any

Application to correct tax, hearing, etc.

sum or sums due and unpaid after the said October twentieth, after ten days' notice and demand thereon by the treasurer and receiver-general, shall be added interest at the rate of six per cent per annum from the time when such taxes were payable until they are paid, if such payment is made before the commencement of proceedings for recovery thereon, and twelve per cent if made after the commencement thereof. In case of failure to make such return; or in case of false or fraudulent return, the commissioner of corporations and taxation, upon discovery thereof at any time within three years after the same is due, shall make a return of such net income, and a tax computed thereon shall be paid by such corporation upon notification of the amount thereof, and the treasurer and receiver-general shall have the same powers of collection as given by said chapter sixty-three of the General Laws.

Commissioner's duties upon failure to make return, etc.

SECTION 7. Any such corporation which fails to make any return required by the provisions of this act, or renders a false or fraudulent return, shall be liable to a penalty of not less than one hundred dollars nor more than ten thousand dollars, to be paid to the commonwealth, and to be collected in the manner prescribed by sections seventy-two to seventy-five, inclusive, of chapter sixty-three of the General Laws, and any person or any officer of any such corporation who makes a false or fraudulent return or statement with intent to defeat or evade payment of the tax required by the provisions of this act shall be subject to a fine of not more than two thousand dollars or to imprisonment for not more than one year, or to both such fine and imprisonment.

Penalties upon corporations and officers failing to make returns, etc.

SECTION 8. If any such corporation fails to render any return required by the provisions of this act, or renders a false or fraudulent return, the commissioner of corporations and taxation, according to the best information obtainable, shall make such return, according to the form prescribed, of the income liable to a tax, and shall levy such tax on the amount so determined, and in case of false or fraudulent return shall add one hundred per cent to such tax, or in case of failure to make a return, or to verify the same, he shall add fifty per cent to such tax. The amount so added to the tax shall be collected at the same time and in the same manner as the tax, unless such failure or falsity is discovered after the tax has been paid, in which case the tax so added shall be collected in the same manner as the tax. If such corporation fails to make such return or to permit an exami-

Additional assessment for failure to file, or fraudulent return, etc.

Commissioner may apply to supreme

judicial court
of Suffolk
county, when,
etc.

nation of its books, the commissioner of corporations and taxation may apply to the supreme judicial court for the county of Suffolk, for an order requiring such company to make such return, or to permit such examination. Said court, after such notice as it may find reasonable of the pendency of such application and hearing thereon, may make such order as it finds proper, and for violation of such order may punish for contempt the president, vice-president, treasurer, assistant treasurer or other officer guilty of such violation, and may restrain such corporation from further prosecution of its business until it has made such return or permitted the examination of its books, as the case may be.

Determination
of validity of
tax by supreme
judicial court
on petition.

SECTION 9. Any corporation aggrieved by the exaction of said tax or any portion thereof may, within six months after the payment of the same, whether such payment be made after or before the issue of the warrant mentioned in section seventy-two, chapter sixty-three of the General Laws, apply by petition to the supreme judicial court, setting forth the amount of the tax and costs thereon so paid, the general legal grounds and the specific grounds in fact, if any, upon which it is claimed such tax should not have been exacted. Said petition shall be the exclusive remedy and shall be entered and heard in the county of Suffolk. A copy of the same shall be served upon the treasurer and receiver-general and upon the attorney-general. The proceedings upon such petition shall conform, as nearly as may be, to proceedings in equity, and an abatement shall be made of only such portion of the tax as was assessed without authority of law.

Reimburse-
ment of tax if
illegally ex-
acted.

SECTION 10. If the court, upon a hearing or trial, adjudges that said tax, and the costs thereon, have been illegally exacted, a copy of the judgment or decree shall be transmitted by the clerk of the court to the auditor, who shall thereupon audit and certify the amount adjudged to have been illegally exacted, with interest, and costs to be taxed by the clerk of the court in the same manner as other claims against the commonwealth, and the treasurer and receiver-general shall pay the same, without any appropriation therefor.

Returns to be
open to in-
spection of cer-
tain officials,
etc.

SECTION 11. The taxes provided by this act shall be retained for the general purposes of the commonwealth. Returns shall be open to the inspection of the commissioner of corporations and taxation or his deputies, assistants and clerks, when acting under his authority. The disclosure by

the commissioner of corporations and taxation, or by any deputy, assistant, clerk or other employee of the commonwealth, or of any city or town therein, to any person of any information whatever contained in and set forth by any such return, except in proceedings to collect the tax, or by proper judicial order, shall be punishable by a fine not exceeding one thousand dollars, or by imprisonment for a period not exceeding six months, or by both such fine and imprisonment. Said returns shall be preserved for two years, and thereafter until the commissioner of corporations and taxation orders them to be destroyed.

SECTION 12. The net income as defined and apportioned in this act shall, in the case of corporations subject to the provisions of sections thirty to fifty-two, inclusive, of chapter sixty-three of the General Laws, be ascertained from the returns made by such corporations under said sections, and no other returns for the purposes of this act shall be required of such corporations.

No returns under this act required of certain corporations.

SECTION 13. The commissioner of corporations and taxation shall have direction of the assessment of the taxes provided for by this act. He may procure such additional clerical and other assistants as may be necessary for the proper administration of this act, and may expend for the purposes of this act such amounts as the general court may appropriate.

Commissioner to have direction of assessment. Additional assistants, etc.

Approved May 27, 1921.

AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO CONSTRUCT RAILROAD TRACKS TO CONNECT THE PROPERTY OF THE COMMONWEALTH IN EAST BOSTON WITH EXISTING RAILROADS. Chap. 494

Be it enacted, etc., as follows:

SECTION 1. The division of waterways and public lands of the department of public works is hereby authorized to construct such railroad tracks as are required to connect the property owned by the commonwealth at East Boston near Jeffries Point with any or all railroad tracks which are or may hereafter be operated in East Boston.

Construction of certain railroad tracks in East Boston.

SECTION 2. For the purpose of providing the necessary location for the tracks thus authorized, the division is hereby authorized to acquire a right of way by eminent domain under chapter seventy-nine of the General Laws, or by purchase or otherwise, not exceeding one hundred feet wide from the said property of the commonwealth and extending

For location right of way by eminent domain may be exercised, etc.

westerly across the right of way of the Boston, Revere Beach and Lynn Railroad Company near and northerly of Porter street and thence continuing westerly and northerly to a point or points where the tracks on said right of way can be connected with one or more existing railroad tracks.

Agreements
may be entered
into, etc.

SECTION 3. Said division is also authorized to co-operate and enter into agreements with the New York Central and Hudson River Railroad Company through its subsidiary company the Boston and Albany Railroad Company to such extent as may be necessary to secure the actions by said railroad company provided for by section six of chapter four hundred and sixty-eight of the acts of nineteen hundred to secure the approaches to the said property of the commonwealth taken for the "purpose of constructing thereon wharves and docks", and the said division is further authorized to enter into any agreement for the use and operation of the tracks to be constructed hereunder for the purpose of securing proper use of the same in transferring freight between said commonwealth property and all railroads operated in East Boston.

Department
of public
utilities to
approve man-
ner of making
certain track
connections,
etc.

SECTION 4. For the purpose of making such connections, tracks may be constructed, within the location acquired under the provisions of section two, across the tracks of the Boston, Revere Beach and Lynn Railroad Company in such manner as the department of public utilities may approve, and may be maintained at grade until such time as public safety and convenience require the separation of the grades of said tracks. When public safety and convenience or the development of the property owned by the commonwealth at East Boston require, said division shall cause said grades to be separated, but in such separation the grade of the Boston, Revere Beach and Lynn Railroad Company shall not be altered without its consent, nor shall said company be required to bear any portion of the expense of said separation or the maintenance thereof, nor shall said company be entitled to receive compensation or allowance for any damages it may claim to be caused to said railroad by such separation. Said division may make connections with the tracks of other railroads in such manner and in such location as may be agreed upon between said division and said other railroad companies, and in case of failure to so agree, the department of public utilities shall prescribe the location and manner of making such connections.

SECTION 5. No trains on said new tracks shall be operated at grade across the tracks of the Boston, Revere Beach and Lynn Railroad Company except between the hours of midnight and six o'clock in the morning, and said crossing shall be equipped with such interlocking apparatus or other safety devices as the department of public utilities may prescribe. The whole expense of installing and operating said devices shall be borne by the commonwealth.

Operation of certain trains at grade, time limit for, etc.

SECTION 6. For the purpose of acquiring said right of way and constructing railroad tracks thereon and on the present property of the commonwealth at East Boston, including all incidental expenses, said division is hereby authorized to expend such sums as may hereafter be appropriated for the purpose not exceeding two hundred thousand dollars, of which sum not more than one hundred thousand dollars shall be appropriated in the year nineteen hundred and twenty-one. Appropriations as authorized by this section shall be made from the Port of Boston Fund.

Expense to be paid from Port of Boston Fund, etc.

Approved May 27, 1921.

AN ACT RELATIVE TO THE ANALYSIS OF LIQUOR BY THE DEPARTMENT OF PUBLIC HEALTH. Chap. 495

Be it enacted, etc., as follows:

Chapter one hundred and thirty-eight of the General Laws is hereby amended by striking out section fifty-four and inserting in place thereof the following: — *Section 54.* The analyst or assistant analyst of the department of public health shall upon request make, free of charge, a chemical analysis of all liquors sent to it by the licensing board of any city, the selectmen of any town, or by police officers or other officers authorized by law to make seizures of liquors, if the department is satisfied that the analysis requested is to be used in connection with the enforcement of the laws of the commonwealth. The said department shall return to such licensing board, selectmen, police or other officers, as soon as may be, a certificate, signed by the analyst or assistant analyst making such chemical analysis, of the percentage of alcohol by weight at sixty degrees Fahrenheit which such samples of liquor contain. Such certificate shall be prima facie evidence of the composition and quality of the liquors to which it relates, and the court may take judicial notice of the signature of the analyst or the assistant analyst, and of the fact that he is such.

G. L. 138, § 54, amended.

Certification of analysis of liquor by department of public health for evidence.

Approved May 27, 1921.

Chap.496 AN ACT RELATIVE TO THE RANK OF CERTAIN POLICE OFFICERS OF THE CITY OF NEW BEDFORD.

Be it enacted, etc., as follows:

Rank of certain police officers in New Bedford established.

SECTION 1. The chief inspector of the New Bedford police department shall be ranked as a captain in said department from and after July seventh, nineteen hundred and fifteen. All inspectors of the New Bedford police department shall be ranked as lieutenants in said department from and after January first, nineteen hundred and seventeen.

SECTION 2. This act shall take effect upon its passage.

Approved May 27, 1921.

Chap.497 AN ACT PROVIDING FOR THE CONSTRUCTION OF CERTAIN BRIDGES OVER THE CHARLES RIVER BETWEEN THE CITY OF BOSTON AND THE TOWN OF WATERTOWN AND BETWEEN THE CITY OF BOSTON AND THE CITY OF CAMBRIDGE.

Be it enacted, etc., as follows:

Construction of certain bridges over Charles river between Boston and Watertown, and Boston and Cambridge authorized.

SECTION 1. The metropolitan district commission, in sections one to five, inclusive, called the commission, is hereby authorized and directed to remove the following existing bridges and to construct new bridges with suitable approaches at or near their respective sites:—

(1) That between the city of Boston and the town of Watertown, known as the Western avenue and Arsenal street bridge;

(2) That between the city of Boston and the city of Cambridge, known as the Western avenue bridge;

(3) That between the city of Boston and the city of Cambridge, known as the River street-Brighton street bridge;

(4) That between the city of Boston and the city of Cambridge, known as the Brookline street-Essex street-Cottage Farm bridge.

Bridges to be without draws if United States consents, etc.

The said new bridges shall be constructed without draws, provided the consent of the United States is obtained, and shall be at least twelve feet above the ordinary level of the water in the basin over the main channel. The commission shall construct any necessary approaches to said bridges on each end thereof; may construct temporary highway bridges to be used by vehicles, pedestrians and street cars, and may grant locations for street railway tracks, poles and wires

thereon or may repair and strengthen the existing bridges so that they may be used temporarily for such purpose during the construction of the new bridges; shall cause any necessary dredging to be done; and may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, such lands or rights for the approaches to said bridges as it may deem necessary for carrying out the provisions of this act, and shall cause all lands so acquired to be properly filled and graded. The plans of said bridge between Boston and Watertown shall be subject to approval by the secretary of war of the United States, the mayor of the city of Boston, the selectmen of the town of Watertown and the commission. The plans of said bridges between the city of Cambridge and the city of Boston shall be approved by the secretary of war of the United States, the mayor of the city of Boston, the mayor of the city of Cambridge and the commission. Said bridges shall be constructed and maintained for the joint use of the highways of said cities and town and the metropolitan reservations, roads and boulevards along and near said river in said cities and town; and the bridges shall be maintained for any purposes for which said highways or park roads or reservations may be used. The position of the tracks, poles and wires of the street railway company which are to be constructed on said bridges shall, prior to the completion of the construction of the bridges, be determined and locations therefor granted by the commission.

Approval of
certain plans,
etc.

Purpose of
construction,
maintenance,
etc.

SECTION 2. No compensation shall be required for displacement of tidewater, but for any land owned by the commonwealth, which it is necessary to use for any of said bridges or their approaches there shall be allowed to the metropolitan parks district reasonable compensation for land so used, and shall be taken into consideration by the commission appointed to determine and apportion the cost.

Certain com-
pensation for
land used to
be allowed,
etc.

SECTION 3. The approaches to said bridge between Boston and Watertown shall be laid out by the commission as a highway at a width not less than may be determined by the selectmen of the town of Watertown and the mayor of the city of Boston and the commission. The approaches to said bridges between the city of Cambridge and the city of Boston shall be laid out by the commission as a highway and not less than the width as determined by the mayor of Cambridge, the mayor of Boston and the commission. In

Laying out
and construc-
tion of ap-
proaches.

laying out and constructing approaches to any bridge provided for by this act, the commission may assess betterments upon real estate benefited by said approaches, to which the provisions of chapter eighty of the General Laws shall apply.

Construction costs, damages, etc., how paid.

SECTION 4. The cost of laying out and constructing said approaches, including any damages awarded or paid on account of any taking of land or property therefor or for damage to any property and any sums paid for land or rights purchased, the cost of construction of the abutments and other parts of said bridges, the cost of changing the channel of said river, the cost of temporary highway bridges or the cost of repairing and strengthening the existing bridges for temporary use, and the salaries and wages of all employees of the commission, including the interest on all money borrowed by the state treasurer on the credit of the commonwealth as provided in this section and all other expenses incurred in carrying out the provisions of this act, shall be deemed to be the cost of construction of said bridges and shall in the first instance be paid by the commonwealth; provided, that the said cost of the bridge between Watertown and Boston shall not exceed one hundred and seventy-five thousand dollars, that the said cost of the bridge between Cambridge and Boston, known as the Western avenue bridge, shall not exceed two hundred and seventy-five thousand dollars, that the said cost of the said bridge between Cambridge and Boston, known as the River street-Brighton street bridge, shall not exceed two hundred and seventy-five thousand dollars, and that the said cost of the said bridge between Boston and Cambridge, known as the Essex street-Brookline street-Cottage Farm bridge, shall not exceed seven hundred and fifty thousand dollars, and the state treasurer may borrow on the credit of the commonwealth such sum or sums of money as may from time to time be required for the said costs of the four bridges as aforesaid, as certified to him by said commission, and may issue notes of the commonwealth therefor, carrying such rates of interest as the state treasurer may fix, with the approval of the governor and council. Said notes shall be for the term of ten years, as recommended by the governor, in accordance with the provisions of the constitution, in a message to the general court dated May twenty-seventh, nineteen hundred and twenty-one, and the state treasurer shall make payments from time to time on account of work done under this act, on the order of the commission.

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State treasurer may borrow certain sums and issue notes, etc.

SECTION 5. When said bridge and its approaches between Watertown and Boston are completed and the full cost thereof ascertained, the following parties shall each be assessed and contribute the following percentages of the total amount paid by the commonwealth therefor, including interest, to wit: — the city of Boston thirty-five per cent, the town of Watertown thirty-five per cent, the county of Middlesex seven and five tenths per cent, the Boston Elevated Railway Company or the West End Street Railway Company, to whichever a double track location on said bridge and approaches shall be granted by the commission, provided that it agrees to pay the percentage of the cost hereinbefore specified, seven and five tenths per cent, and the metropolitan parks district, fifteen per cent. When the said Essex street-Brookline street-Cottage Farm bridge, and its approaches in Boston and Cambridge is completed, the supreme judicial court shall appoint three commissioners who shall, after due notice and hearing and in such manner as they shall deem just and equitable, determine the cost of the said bridge and what political sub-divisions, corporations or other parties receive special benefits from said bridge, and shall thereupon assess the cost to the said political sub-divisions, corporations and other parties in the proportions in which they are specially benefited, and shall return their award into said court, and when the said award shall have been accepted by said court, the same shall be final and conclusive adjudication of all matters herein specified and shall be binding upon all parties. When the said Western avenue and River street bridges and their approaches between Boston and Cambridge are completed and the full cost thereof ascertained, the following parties shall each be assessed and contribute the following percentages of the total amount paid by the commonwealth for each bridge, including interest, to wit: — the city of Boston thirty-five per cent, the city of Cambridge thirty-five per cent, the Boston Elevated Railway Company or the West End Street Railway Company, to whichever a double track location on either or both of said bridges and approaches shall be granted by the commission, provided that it agrees to pay the percentage of the cost hereinbefore specified of each bridge as to which it applies for a location, seven and five tenths per cent, the county of Middlesex seven and five tenths per cent, and the metropolitan parks district fifteen per cent. The amount due from each of said parties, upon certification of the same

Percentages of assessment upon certain parties, when full cost is ascertained upon Boston-Watertown bridge.

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Essex street-Brookline street-Cottage Farm bridge, commissioners to determine distribution of cost, etc.

Western avenue and River street bridges, percentages of assessment upon certain parties.

Proviso.

by the state treasurer, shall be paid into the treasury of the commonwealth at such times as the said treasurer shall designate.

Middlesex county commissioners may borrow to meet payments required, etc.

SECTION 6. To meet the payments required to be made by the county of Middlesex under the provisions of this act, the county commissioners of said county may borrow from time to time on the credit of the county such sum as may be necessary to meet the contributions required of said county under the provisions of this act, and may issue the bonds or notes of the county therefor, payable by such annual payments, beginning not more than one year after the date of each loan, as will extinguish each loan within ten years from its date; and the amount of such annual payment of any loan in any year shall not be less than the amount of the principal of the loan payable in any subsequent year. Each authorized issue of bonds or notes shall constitute a separate loan, and each bond or note shall bear on its face the words: — County of Middlesex, Charles River Bridges Loan, Act of 1921.

County of Middlesex, Charles River Bridges Loan, Act of 1921

Norfolk county commissioners may borrow to meet payments required, etc.

SECTION 7. To meet the payments required to be made by the county of Norfolk under the provisions of this act, the county commissioners of said county may borrow from time to time on the credit of the county such sum as may be necessary to meet the contributions required of said county under the provisions of this act, and may issue the bonds or notes of the county therefor, payable by such annual payments, as will extinguish each loan within ten years from its date; and the amount of such annual payment of any loan in any year shall not be less than the amount of the principal of the loan payable in any subsequent year. Each authorized issue of bonds or notes shall constitute a separate loan, and each bond or note shall bear on its face the words: — County of Norfolk, Charles River Bridges Loan, Act of 1921.

County of Norfolk, Charles River Bridges Loan, Act of 1921.

City of Boston may issue bonds, etc., to meet payments required.

SECTION 8. The city of Boston may issue from time to time bonds or notes of said city to such an amount, not exceeding such sum as may be necessary to meet the payments required to be made by the city on account of the construction of said bridges and their approaches. Said bonds or notes shall bear on their face the words: — City of Boston, Charles River Bridges Loan, Act of 1921, shall be payable within twenty years from their respective dates, and shall be issued in excess of the statutory limit of indebtedness, but shall otherwise be subject to chapter four hundred and eighty-six of the acts of nineteen hundred and nine, and acts in amendment thereof and in addition thereto.

City of Boston, Charles River Bridges Loan, Act of 1921.

SECTION 9. The city of Cambridge may issue from time to time bonds or notes of said city to such an amount, not exceeding such sum as may be necessary to meet the payments required to be made by the city on account of the construction of said bridges and their approaches between the cities of Boston and Cambridge. Said bonds or notes shall bear on their face the words: — City of Cambridge, Charles River Bridges Loan, Act of 1921, shall be payable within twenty years from their respective dates, and shall be issued in excess of the statutory limit of indebtedness, but shall otherwise be subject to chapter forty-four of the General Laws.

City of Cambridge may issue bonds, etc., to meet payments required.

City of Cambridge, Charles River Bridges Loan, Act of 1921.

SECTION 10. The town of Watertown may issue from time to time bonds or notes of said town to such an amount, not exceeding such sum as may be necessary to meet the payments required to be made by the town on account of the construction of said bridge and its approaches between Watertown and Boston. Said bonds or notes shall bear on their face the words: — Town of Watertown, Western Avenue and Arsenal Street Bridge Loan, Act of 1921, shall be payable within twenty years from their respective dates, and shall be issued in excess of the statutory limit of indebtedness, but shall otherwise be subject to chapter forty-four of the General Laws.

Town of Watertown may issue bonds, etc., to meet payments required.

Town of Watertown, Western Avenue and Arsenal Street Bridge Loan, Act of 1921.

SECTION 11. The town of Brookline may issue from time to time bonds or notes of said town to such an amount, not exceeding such sum as may be necessary to meet the payments required to be made by the town on account of the construction of said bridge and its approaches between Cambridge and Boston. Said bonds or notes shall bear on their face the words: — Town of Brookline, Essex Street-Brookline Street-Cottage Farm Bridge Loan, Act of 1921, shall be payable within twenty years from their respective dates, and shall be issued in excess of the statutory limit of indebtedness, but shall otherwise be subject to chapter forty-four of the General Laws.

Town of Brookline may issue bonds, etc., to meet payments required.

Town of Brookline, Essex Street-Brookline Street-Cottage Farm Bridge Loan, Act of 1921.

SECTION 12. Any person entitled by law to damages for the taking of or injury to his property under the authority of this act may have the same determined and paid as provided in chapter seventy-nine of the General Laws.

Damages, how determined.

SECTION 13. When the said bridge and its approaches between Watertown and Boston are completed, and all work contemplated by this act in relation to said bridge has been performed, the care and control of said bridge and approaches shall vest in a commission consisting of one commissioner

Care and control of bridge between Watertown and Boston to vest in a commission.

appointed by the mayor of the city of Boston, and the chairman of the board of selectmen of Watertown for the time being. Said commission shall have charge of managing, maintaining and keeping in repair said bridge and approaches, except that the part of the wearing surface of said bridge occupied by the street railway company granted a location thereon, within its tracks and eighteen inches on each side thereof, shall be kept in repair by the said street railway company; and after the completion of said bridge and approaches, said commission shall also have the exclusive authority to authorize poles, wires, street railway tracks and other structures to be placed thereon, and in such place and manner as said commission may deem proper.

Care, control, etc., of bridges between Cambridge and Boston to vest in a board of two commissioners.

SECTION 14. When the said bridge or bridges and approaches, or any of them, between Cambridge and Boston are completed, and all work contemplated by this act has been performed on any or all of said bridges, the care, control and management of said bridge or bridges and their approaches, or any of them, shall vest in a board of two commissioners, one appointed by the mayor of the city of Boston and one by the mayor of the city of Cambridge. Said commission shall have control of and the charge of managing, maintaining and keeping in repair said bridges and approaches, except that the part of the wearing surface of said bridges occupied by the street railway company granted a location thereon, within its tracks and eighteen inches on either side thereof, shall be kept in repair by the said street railway company; and after the completion of said bridges and approaches, said commission shall also have the exclusive authority to authorize poles, wires, street railway tracks and other structures to be placed thereon, and in such place and manner as said commission may deem proper.

Maintenance and repairs of bridges by street railway companies having locations thereon, etc.

SECTION 15. The street railway company or companies having a location on any of said bridges shall at its or their own expense maintain and keep in repair that part of the wearing surface of said bridges and their approaches occupied by said company or companies within its or their tracks and eighteen inches on either side thereof; and said company or companies shall be liable for all damages recovered in any action at law by reason of any defect or want of repair in that part of said bridges and their approaches which it or they are required to maintain and keep in repair. The city of Boston shall, at its own expense, maintain and keep in repair those

Maintenance and repairs by city of Boston.

parts of any of said bridges and their approaches lying in said city, exclusive of those parts which the street railway company is required to maintain and keep in repair, and shall pay all damages recovered in any action at law by reason of any defect or want of repair in said part or parts. The city of Cambridge shall, at its own expense, maintain and keep in repair that part or parts of any of said bridges and their approaches lying in said city, exclusive of that part which the street railway company or companies are required to maintain and keep in repair, and shall pay all damages recovered in any action at law by reason of any defect or want of repair in said part or parts. The town of Watertown shall, at its own expense, maintain and keep in repair that part or parts of said bridge and its approaches lying in said town, exclusive of that part which the street railway company or companies are required to maintain and keep in repair, and shall pay all damages recovered in any action at law by reason of any defect or want of repair in said part or parts.

Maintenance and repairs by city of Cambridge.

Maintenance and repairs by town of Watertown.

Approved May 27, 1921.

AN ACT ESTABLISHING THE COMPENSATION FOR MILEAGE OF MEMBERS OF THE GENERAL COURT AND OF CERTAIN LEGISLATIVE EMPLOYEES. Chap. 498

Be it enacted, etc., as follows:

SECTION 1. Section nine of chapter three of the General Laws is hereby amended by inserting after the word "dollars" in the third line, the words: — and sixty cents, — so as to read as follows: — *Section 9.* Each member of the general court shall receive fifteen hundred dollars for each regular annual session of the term for which he is elected, and three dollars and sixty cents for every mile of ordinary traveling distance from his place of abode to the place of sitting of the general court. The president of the senate and the speaker of the house of representatives shall each receive fifteen hundred dollars additional compensation.

G. L. 3, § 9, amended.

Compensation of members of general court.

SECTION 2. Section twenty of said chapter three is hereby amended by inserting after the word "dollars" in the fourth line, the words: — and sixty cents, — so as to read as follows: — *Section 20.* Doorkeepers, assistant doorkeepers, messengers and pages, the postmaster and assistant postmaster, and the clerk, assistant clerk and other assistants in the legislative document room shall each receive for each

G. L. 3, § 20, amended.

Compensation of certain legislative employees

annual session three dollars and sixty cents for every mile of ordinary traveling distance from their places of abode to the place of the sitting of the general court.

Time of taking effect.

SECTION 3. This act shall take effect as of January first in the current year.

Approved May 27, 1921.

Chap. 499 AN ACT TO CONTROL THE SALE OF SECURITIES, TO REGISTER PERSONS SELLING THE SAME, AND TO PREVENT THE FRAUDULENT PROMOTION AND SALE OF FRAUDULENT SECURITIES.

Be it enacted, etc., as follows:

G. L., new chapter after chapter 110.

SECTION 1. The General Laws are hereby amended by inserting after chapter one hundred and ten the following new chapter, to be numbered one hundred and ten A, and to be entitled, "Promotion and Sale of Securities."

CHAPTER 110 A.

PROMOTION AND SALE OF SECURITIES.

Sale of Securities Act.

Section 1. This chapter may be cited as the Sale of Securities Act.

Definitions.

Section 2. The following words and phrases, as used in this chapter, shall have the following meanings, unless the context otherwise requires:

"Commission".

(a) "Commission", the commission supervising and controlling the department of public utilities under chapter twenty-five.

"Person".

(b) "Person" shall include a natural person, a corporation created under the laws of this commonwealth or of any other state, country or sovereignty, a partnership, an association, a joint stock company, a trust and a trustee or any beneficiary, agent or other person as herein defined acting under a trust, and any unincorporated organization.

"Security".

(c) "Security" shall include any bond, stock, certificate under a voting trust agreement, treasury stock, note, debenture, certificate in or under a profit sharing or participation agreement, subscription or reorganization certificate, oil, gas or mining lease or certificate of any interest in or under the same, evidence of indebtedness, any form of commercial paper, currency of any government other than the United States, or any certificate or instrument representing or secured by an interest in the capital, assets or property of any

corporation, unincorporated organization, association, trust or public corporation or body.

(d) "Sale" or "sell" shall include the issuance of securities, an agreement whereby a person transfers or agrees to transfer an interest in securities, and an exchange, pledge, hypothecation, or any transfer in trust or otherwise, by way of mortgage. Any security given or delivered with, or as a bonus on account of, any purchase of securities or any other thing, shall be conclusively presumed to constitute a part of the subject of such purchase and to have been sold for value. "Sale" or "sell" shall also include an attempt to sell, an option of sale, a solicitation of a sale, a subscription or an offer to sell, directly or by an agent, or by a circular, letter, advertisement or otherwise.

"Sale" or
"sell".

(e) "Broker" shall include every person, other than a salesman, who in this commonwealth engages either for all or part of his time, directly or through an agent, in the business of selling any security issued by himself or another person, or of purchasing or otherwise acquiring such securities for another with the purpose of reselling them, or of offering them for sale to the public, for a commission or at a profit.

"Broker".

(f) "Salesman" shall include every person employed or appointed or authorized by a broker to sell in any manner, within this commonwealth.

"Salesman".

(g) "Fraud" and "fraudulent" shall include any misrepresentation in any manner of a relevant fact, such misrepresentation being intentionally dishonest or due to gross negligence, and any promise or representation or prediction as to the future not made honestly and in good faith, or an intentional failure to disclose a material fact; the gaining directly or indirectly, through the sale of any security of an underwriting or promotion fee or profit, selling or managing commission or profit, so gross and exorbitant as to be unconscionable and fraudulent, and any scheme, device or artifice to obtain such a profit, fee or commission; provided, however, that nothing herein shall limit or diminish the full meaning of the terms "fraud" and "fraudulent" as applied or accepted in courts of law or equity.

"Fraud" and
"fraudulent".

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(h) "Par value", as applied to stock without par value, the average net amount per share actually received by the issuing corporation upon all such shares issued and outstanding at the date of any occasion for determining such value.

"Par value".

Certain specified sales may be made by an agent, etc.

(i) Wherever in this chapter a sale by an owner, pledgee or mortgagee or by a person acting in a representative capacity is specified, such sale may be made through or by an agent, including a registered broker or salesman.

Exempted Securities and Sales.

Exempted securities and sales.

Section 3. Except as hereinafter provided, the provisions of this chapter shall not apply to, —

Isolated sales of securities by owners thereof, etc.

(a) Any isolated sale of any security by the owner thereof, or his representative, for the owner's account, such sale not being made in the course of repeated and successive transactions of a like character by such owner or on his account by such representative, and such owner or representative not being the underwriter of such securities.

Commercial paper, etc., maturing in less than fourteen months, etc.

(b) Commercial paper, notes or evidences of indebtedness maturing less than fourteen months from date of issuance thereof.

Securities issued by governments, governmental agencies, etc. Securities of certain public service utilities.

(c) Any security issued or guaranteed as to principal or interest by a government or governmental agency, or by any public body having power of taxation or assessment.

Securities issued by certain holding corporations.

(d) Securities of, or guaranteed either as to principal, interest or dividend by, a corporation owning or operating a railroad, or any other public service utility, the issue or guarantee of such securities being regulated or controlled, or requiring approval by, public officials of this or of any other state or of the United States empowered to regulate and control or supervise public service utilities and the issue of securities thereby; and all securities senior thereto. Securities issued by a holding corporation holding or owning solely securities within the provisions of subdivision (c) of this section and the above sentence of this subdivision (d) and issuing its own securities against such securities, not exceeding in par value the par value of such securities owned or held by it, shall be deemed to be within the provisions of this subdivision (d).

Securities listed upon certain stock exchanges.

(e) Securities listed upon any stock exchange in Massachusetts which has been doing business continuously for the last ten years prior to the effective date of this chapter and all securities senior thereto, for six months from the effective date of this chapter; and thereafter provided that there has first been submitted to the commission a form of application and set of rules adopted by such exchange for the listing of securities which is acceptable to the commission, as indicating in substance that the requirements of such

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exchange are adequate to guard against fraud, and provided further that any subsequent change in the rules of such exchange shall not affect the exemption of securities listed before said change was adopted.

The commission may add to this exemption sales or securities listed upon any other organized stock exchange.

(f) Securities which are a legal investment for any savings bank, savings department of any trust company, insurance company or association under the supervision of the commissioner of banks or commissioner of insurance of this commonwealth.

Commission may make additional exemptions.

Securities which are legal investment for certain banks, insurance companies, etc.

(g) Securities issued by, and representing an interest in, or direct contract right against, any national bank or corporation created or existing by virtue of the acts of the congress of the United States; or by any state bank, trust company, co-operative bank, corporation duly licensed to make small loans, or credit union of this commonwealth, or of any other state where the same is fully organized, doing business and is under the supervision of the public official controlling banking in such state; or the securities of any corporation under the supervision of the department of banking and insurance of this commonwealth.

Securities issued by, etc., certain banks, insurance companies, etc.

(h) The securities of any corporation organized under the provisions of chapter one hundred and eighty.

Securities of charitable, etc., corporations.

(i) The securities of any corporation organized under the laws of this commonwealth whose authorized capital stock, added to its other outstanding securities, does not exceed twenty-five thousand dollars; and the original issuance and sale by any corporation organized under the laws of this commonwealth of its stock so long as the number of stockholders of said corporation does not exceed twenty-five.

Securities of Massachusetts corporations whose authorized capital stock, etc., does not exceed \$25,000. Original issue when less than twenty-five stockholders.

(j) Any judicial sale; or the sale by an executor, administrator, conservator, guardian or trustee appointed by the decree of any court; any sale by a receiver or trustee in insolvency or bankruptcy; or any sale by a corporation of its stock for a delinquent assessment made in accordance with the provisions of law whether or not any such sale described in this subdivision is made directly by the owner or legal representative of the owner or through an agent, whether or not a broker or salesman, of such owner or legal representative.

Judicial sales, sales by executors, etc.

(k) The distribution by a corporation of capital stock, bonds or other securities to its stockholders or other security holders or their respective assigns as a stock dividend or other

Distribution of securities as a stock dividend, etc.

Securities issued under corporate reorganizations, etc.

Increased capital stock distributed, etc., among stockholders, etc.

Sale by mortgagees, etc.

Sale of notes secured by mortgages, etc.

Sale of securities to registered broker.

Commission may exempt sales of securities at public auction, etc.

Commission may add to list of exempted securities, etc.

Commission may require information concerning exempted securities.

Certain securities not to be sold unless and until certain information and data have been filed with commission, etc.

distribution out of surplus; securities issued under a corporate reorganization by a corporation, or corporations, entirely to its or their security holders or their assigns, directly or through an agent, or increased capital stock of a corporation sold or distributed by it, directly or through an agent, entirely among its stockholders or their assigns, without payment of any commission or expense to any broker or salesman in connection with the distribution thereof.

(l) The sale, by a pledge holder or mortgagee selling, in the ordinary course of business, of a security pledged with him in good faith as a security for a bona fide debt.

(m) The sale of notes secured by mortgages on real or personal property where the legal title to the entire security for said notes is sold and transferred therewith.

(n) The sale of securities directly or through a representative to a registered broker.

(o) The commission may, on such terms as it deems advisable, exempt from the provisions of this chapter sales at public auction of securities not otherwise exempt under this chapter.

(p) In addition to the securities enumerated in section three as exempted from the provisions of this chapter, the commission may, from time to time, by order, in accordance with such rules and standards as it may prescribe, upon petition or upon its own motion, add to the list of exempted securities therein specified, other sales, securities and classes of securities. Any order of exemption adopted under this section may provide that the same shall not apply to any new and additional securities issued by the same enterprise or against the same property unless and until the commission adopts a like order in relation thereto.

If it shall appear to the commission that the sale of any security exempted under any provision of this section would be fraudulent or would be likely to result in fraud, the commission may require such full information concerning such security as it may deem necessary.

Section 4. No security not exempted from the provisions of this chapter under the preceding section, that has been sold in this commonwealth prior to June first, nineteen hundred and twenty-one, shall be sold after six months following the effective date of this chapter or after such further time as the commission may prescribe, unless and until there shall have been filed with the commission by a person offering the same for sale or by the directors or trustees of

the corporation, association, trust or other body issuing the security or other officers holding a corresponding relation thereto, or by officers duly authorized by such directors or trustees to take such action, a statement on such forms as the commission may prescribe, duly dated and sworn to by the person or officers subscribing and filing the same, containing the following information and data relative to the security to be offered and the person, corporation, association or trust issuing such security, to wit:

(a) The names and addresses of the board of directors or other board of management, and of the president, treasurer, secretary, auditor, or corresponding officers of such corporation, association or trust;

(b) The state or other sovereign power, under the laws of which the corporation, association or trust was organized, and a reference to such laws;

(c) The purpose for which the corporation, association or trust was organized or formed and the general nature of the business to be transacted or in which it proposes to engage;

(d) The capitalization thereof, including the authorized amount of its capital stock, the number and classes of shares into which such capital stock is divided, a description of the respective voting rights, preferences, rights to dividends, profits or capital of each class with respect to each other class, the amount of capital stock of each class issued or included in the shares of stock to be offered, the amount of the funded debt, if any, with a brief description of the date, maturity and character of such debt, and the security, if any, therefor.

The commission may, to such extent as it deems reasonable, accept in lieu of such statement, a reference to recognized sources of information selected by the commission, containing such information and particulars as it deem sufficient.

Commission may accept a reference to recognized sources of information.

Section 5. No security not exempted under section three and to which the preceding section does not apply shall be sold unless and until there shall have been filed with the commission by a person offering the same for sale or by the directors or trustees of the corporation, association, trust, or other body issuing the security, or by other officers holding a corresponding relation thereto, or by officers duly authorized by such directors or trustees to take such action, a notice of intention to offer for sale the security named and specified in the notice; but within seven days, or such further period as in any special case the commission may authorize, after

Certain securities not to be sold unless and until notice of intention to offer such securities for sale has been filed with commission, etc.

Certain information and data also to be filed, etc.

filing said notice, the person or officers, or some one in their behalf, shall file with the commission a statement containing the information and data relative to the security offered and the issuing corporation, association or trust, specified in subdivisions (a), (b), (c), and (d) of section four, and in addition thereto a statement of the purposes to which the proceeds of the proposed issue are to be applied. Upon and after the filing of such notice the said security may be sold and offered for sale by any broker or salesman registered under the provisions of this chapter, subject, however, to the provisions of the following section.

Commission may require further information, etc.

Failure to submit information to be deemed prima facie evidence of fraud.

Commission to make findings and report them to attorney-general or any district attorney.

Attorney-general or district attorneys to petition for order restraining, etc., sale of fraudulent securities.

Supreme judicial and superior courts may restrain sale of securities, etc.

Section 6. If, upon receipt and examination of the notice or of any statement required by the two preceding sections the commission deems the information inadequate it shall make such further investigation as it shall deem necessary or advisable, and may require from the person filing such statement or from any officer of the corporation issuing such security such further information as may in its judgment be necessary to enable it to ascertain whether the sale of such security would be fraudulent or would result in fraud. The failure to submit the information required by the commission within such reasonable time as it may specify shall in the absence of satisfactory explanation or of extension by the commission of the time for filing such information, be deemed prima facie evidence of fraud and the further sale of such security may be enjoined as hereinafter provided. Whenever the commission is of opinion from the information disclosed or in its possession that the sale of any security under section four or five or of any security exempted under any provision of section three, is fraudulent or would result in fraud, it shall make a finding to that effect and shall report such finding, accompanied by the evidence connected therewith, to the attorney-general or to any district attorney, who shall forthwith, if in his opinion the facts warrant, file a petition either in the name of the commission or in his own name in the supreme judicial court or in the superior court, setting forth the finding of the commission and any other facts deemed by him pertinent and material, and praying for an order restraining or enjoining the further sale of said security and for other appropriate relief. The supreme judicial and superior courts shall have jurisdiction in equity of such a petition to restrain the sale of the security specified in the petition if in the opinion of the court its sale would be fraudulent or likely to result in fraud or if the same is being

or has been sold or offered for sale in violation of any provision of this chapter; and the finding of the commission that the sale thereof would be fraudulent shall be deemed to be prima facie evidence thereof, and sufficient ground, in the discretion of the court, for the issue, ex parte, of a temporary injunction restraining the sale of such security. Whenever the commission has made a finding to the effect that further sale of any security, excepting those securities exempted under the provisions of section three of this chapter would be fraudulent or would result in fraud and has reported such finding to the attorney-general or to any district attorney, the commission may, in its discretion, issue its temporary order forbidding the further sale of such security pending the entry of a petition as provided in this section; provided, however, that such order shall be void unless such petition shall be entered in the supreme judicial or superior court within ten days from the date of such order.

Temporary orders by commission forbidding further sale of certain securities, etc.

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Section 7. Any interested person aggrieved by any order of the commission under any provision of this act, or by any refusal or failure of the commission to make an order under any of said provisions, shall be entitled to a public hearing thereon before a majority of the members thereof, at which he may be represented by counsel, and may submit any relevant evidence. When so requested by any such person, the commission shall rule upon any question of law properly arising in the course of such hearing. Any failure or refusal of the commission to rule upon such a question within ten days after such request shall be taken and recorded as a ruling adverse to the person requesting the same. At the conclusion of such hearing, the commission shall reconsider and review the subject matter of such appeal, and shall, within twenty days thereafter, affirm, modify or rescind the order or refusal appealed from. The supreme judicial and superior courts shall have jurisdiction in equity to review, modify, amend or annul any ruling, finding of fact, or order of the commission, and the procedure before said court in relation thereto shall conform to the provisions of section five of chapter twenty-five, so far as applicable.

Persons aggrieved by orders of commission, etc., entitled to public hearing, etc.

Commission to reconsider subject matter of appeal, etc.

Supreme judicial and superior courts may review, modify, annul, etc., rulings, orders, etc., of commission.

Section 8. No person shall sell securities within this commonwealth as broker or salesman unless he has been registered by the commission. Any person may become registered upon complying with the provisions of this section. An application for such registration shall state the applicant's name and residence, and the place where the registered

Registration of brokers and salesmen.

Applications, what to state, etc.

Expiration of registrations.

Proviso.

Registration fees.

Appointment of attorney by non-resident registrants for service of process, etc.

Persons convicted of larceny within three years not entitled to registration, etc.

Commission to make finding and report to attorney-general or any district attorney when registrants conduct business fraudulently.
Attorney-general or district attorneys to petition for order re-

business is to be conducted, shall be accompanied by a certificate of two citizens of the commonwealth that the applicant is, in their opinion, honest and of good repute, or, in case the applicant is a partnership or corporation, that the reputation of its members or officers for honesty and fair dealing is good. Every registration under this section shall expire on the thirty-first day of December in each year, but the same may be renewed; provided, however, registrations made after the effective date of this chapter and during the year nineteen hundred and twenty-one shall not expire until the thirty-first day of December, nineteen hundred and twenty-two. The fee for such registration and for each annual renewal thereof shall be fifty dollars in case of brokers and two dollars in case of salesmen. Said fees shall be paid into the state treasury. No non-resident person not having a usual place of business in the commonwealth shall be so registered unless and until he has filed with the commission a writing, in a form to be approved by the attorney-general, appointing the secretary of the commission or his successor in office to be his true and lawful attorney upon whom all lawful processes in any action or proceeding against him may be served, and in such writing shall agree that any lawful process against him which is served on said attorney shall be of the same legal force and validity as if in fact served on the applicant, and that the authority shall continue in force so long as any liability remains outstanding against the applicant in this commonwealth. No person shall be entitled to registration hereunder if he, or any member of the firm, in case of a partnership, or, in case of a corporation, any officer thereof at the time of application, has within three years, been convicted of larceny. Conviction of such an offense or of a violation of any provision of this chapter shall render void the registration of the person convicted or of the firm or corporation of which he is a member or officer, but the commission may, after hearing, restore such registration. If it appears to the commission that any registrant is conducting his business as a broker or salesman in a fraudulent manner or wilfully and purposely evading or seeking to nullify the provisions of this chapter, the commission, upon notice to the registrant, may make a finding to that effect and shall report such finding, accompanied by the evidence connected therewith, to the attorney-general or to any district attorney, who shall forthwith, if in his opinion the facts warrant, file a petition either in the name of the commission

or in his own name in the supreme judicial court or in the superior court, setting forth the finding of the commission and any other facts deemed by him pertinent and material, and praying for an order restraining or enjoining the registrant from the further exercise of any right under his registration for such time as the court may order. The supreme judicial and superior courts shall have jurisdiction in equity of such a petition to restrain or enjoin the registrant as aforesaid if in the opinion of the court the registrant is acting or has been acting fraudulently or in violation of any provision of this chapter.

restraining registrants, etc.

Supreme judicial and superior courts may restrain registrants acting fraudulently.

Section 9. The commission shall not issue any certificate or written evidence to any person registered as a broker or salesman. The finding of the commission that a person may act as a broker or salesman within the commonwealth shall take the form solely of entering his name on the register of brokers or salesmen properly indexed and open to the public; but the finding of the commission that the registration of a person to act as a broker or salesman should be cancelled on the register, shall be in the form of an order to that effect. Where the registration of a person as salesman or broker is cancelled under the provisions of this chapter, the commission shall so note upon the register.

Certificates, etc., not to be issued to registrants.

Cancellation of registrations, etc.

Section 10. (a) All information received by the commission under this chapter concerning securities found by it to be fraudulent and all financial statements so received concerning any securities shall be kept open by the commission to public inspection at reasonable hours, and the commission shall supply to the public copies of summaries of such information at charges equaling the cost of typing or printing, and shall supply to the police or other persons aiding in the enforcement of the law lists of persons registered as brokers or salesmen; provided, however, that the commission shall have power to place on a separate file not open to the public, except on its special order, any information which it deems, in justice to the person filing the same, should not be made public.

Information received by commission to be open to public inspection, etc.

Proviso.

(b) A broker shall place the name under which he is registered and his address upon all circulars, pamphlets or advertisements issued by him, concerning any security, and no person, other than a broker registered under this chapter shall issue any circular or pamphlet or procure the publication of any advertisement concerning securities within the commonwealth unless such advertisement is signed by such

Circulars, pamphlets and advertisements concerning securities, issuance restricted, etc.

Commission may require certain information relative to advertising, etc.

Proviso.

Certain statutory and common law rights not limited.

Applicants for registration, etc., to file mailing address.

Notice to registrants of cancellation, etc., of registrations.

Proviso.

Advertisements, etc., not to make reference to fact that law has been complied with.

Certificates of commission as evidence, etc.

person and all the persons contributing to the cost of, or inserting an advertisement in, such circular or pamphlet or procuring the publication of the same and their respective addresses; and no person, other than a broker registered under this chapter, shall issue any circular or pamphlet or procure the publication of any advertisement in any paper concerning the sale or purchase of any security without disclosing his interest in such security. The commission may at any time require information showing the compliance of any one so advertising or so issuing circulars or pamphlets with the provisions of this section; and may also, at any time, require in the case of any security the sale of which it has reason to believe has been fraudulent or if continued would result in a fraud, information as to the amount of such security sold to any person, and the person or persons to whom any such security has been sold and the terms and nature of such sale, provided the security is not exempted by the provisions of section three.

(c) Nothing in this chapter shall limit any statutory or common law right of any person to bring any action in any court for any act involved in the sale of securities, or the right of the commonwealth to punish any person for any violation of any law.

Section 11. (a) Every person applying for registration as a broker or salesman or filing any lists or information or applying for an order of the commission permitting the sale of securities, or for any other cause, shall file with the commission his mailing address and any change therein. Notice sent by mail to such person to such address by said commission shall be deemed sufficient notice to such person. The commission shall not cancel or suspend the registration of any broker or salesman except upon notice to the registrant, provided he has complied with this subdivision.

(b) No person shall in issuing or publishing any circular or advertisement make any reference whatsoever to the fact that the provisions of this chapter have been complied with. The violation of this provision shall be ground for the cancellation of the registration of such person as broker or salesman or for forbidding the sale of the securities so referred to.

(c) The certificate of the commission over the signature of its secretary or assistant secretary shall be competent evidence, where otherwise admissible, in any court as to any act or finding of the commission.

(d) The commission shall investigate all such complaints as to the sale of fraudulent securities or the fraudulent sale of securities or the violation of any of the provisions of this chapter as shall be referred to it, and shall report such violations to the attorney-general if it considers the public interest so requires. The attorney-general shall report to the commission in writing on or before the first Wednesday of each year as to the disposition of all such cases so reported to him by the commission.

Commission to investigate complaints and report violations to attorney-general.

Attorney-general to report to commission as to disposition of cases, etc.

Section 12. The provisions of section four of chapter twenty-five, so far as applicable, shall apply to the proceedings under this chapter, except as otherwise provided.

Certain provisions of law to apply.

Section 13. The commission may by summons require the attendance and testimony of witnesses and the production of books or papers before it relating to any matter as to which it has jurisdiction under this chapter. Such summonses may be issued by any commissioner. They shall be served in the same manner as summonses for witnesses in criminal cases, issued on behalf of the commonwealth, and all provisions of law relative to summonses issued in such cases shall apply to summonses issued under this chapter so far as applicable. Any commissioner may require any witness to be sworn before testifying. Any justice of the supreme judicial court or of the superior court may, upon application by the attorney-general on behalf of the commission compel the attendance of witnesses and the giving of testimony before the commission in the same manner and to the same extent as before said courts.

Commission may summon witnesses, require production of books, etc.

Section 14. A person shall not be excused from attending and testifying before the commission, acting under the provisions of this chapter, on the ground that his testimony or evidence, documentary or otherwise, may tend to criminate him or subject him to a penalty or forfeiture; but he shall not be prosecuted or subject to a penalty or forfeiture for, or on account of, any action, matter or thing concerning which he may be required to so testify or produce evidence except for perjury committed in such testimony.

Persons not excused from testifying on ground that testimony may tend to criminate, etc.

Section 15. Whoever violates any provision of this chapter shall be punished by a fine of not more than five thousand dollars or by imprisonment for not more than two and one half years, or both.

Penalty.

Section 16. If any provision of this chapter, or the application of such provision to any person or circumstances, shall

If certain provisions of act are held

invalid, remainder of act, etc., not to be affected.

Act not to apply to certain sales, contracts, etc.

Proviso.

be held invalid, the remainder of this chapter, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

SECTION 2. This act shall not apply to sales, contracts, or agreements made prior to its effective date, or be construed to prohibit the performance of any such contracts or agreements, either by the issuance of stock or otherwise, provided such contracts or agreements were valid and binding upon the parties thereto by the law as it existed at the time such contracts or agreements were made.

Approved May 27, 1921.

Chap.500 AN ACT PROVIDING FOR THE GIVING OF BONDS IN CONNECTION WITH THE MANUFACTURE, WHOLESALE STORAGE OR PUBLIC EXHIBITION OF FIREWORKS.

Emergency preamble.

Whereas, The danger to life and property from the manufacture, storage and public exhibition of fireworks is such that the taking effect of this act should not be deferred, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Be it enacted, etc., as follows:

G. L. 148, new sections after § 57.

Persons storing fireworks in wholesale lots or manufacturing fireworks to file a bond with city or town clerk, etc.

Chapter one hundred and forty-eight of the General Laws is hereby amended by adding after section fifty-seven the following new sections: — *Section 57A.* No person shall store fireworks in wholesale lots outside the premises of a fireworks manufactory in any building or other structure located within one thousand feet of any church, theatre, hall, place of public assembly, factory or any inhabited building, nor shall any person manufacture fireworks, unless the said person has previously filed with the clerk of the city or town in which the said fireworks are to be manufactured or stored, a bond running to the treasurer of the said city or town with a surety or sureties approved by the said treasurer, in such penal sum, not less than ten thousand dollars, as the mayor of the city or the selectmen of the town, with the approval of the state fire marshal, shall determine to be necessary to cover the losses, damages or injuries that might ensue from the said manufacture or wholesale storage. The bond shall be conditioned upon the payment of any judgment obtained in an action against said person so manufacturing fireworks

or storing fireworks in wholesale lots for or on account of any loss, damage or injury resulting to persons or property by reason of the said manufacture or wholesale storage of the said fireworks; provided that said judgment was obtained in an action brought within a period of twelve months following the date when said loss, damage or injury is alleged to have occurred. *Section 57B.* Action on a bond filed under the provisions of the preceding section may be brought by any person or persons holding such judgment and may be brought in the name of the treasurer of said city or town but for the use and benefit and at the cost and expense of such person or persons so bringing said action. *Section 57C.* No person engaged in the business of displaying or exhibiting fireworks shall, by himself or his agents, discharge, fire off, explode or display fireworks at any public exhibition or exhibitions thereof unless he has on file with the state treasurer a bond running to the state treasurer with a surety or sureties approved by him for the penal sum of fifteen thousand dollars, and for such additional penal sum as the state fire marshal shall determine to be necessary to cover the losses, damages or injuries that might ensue to persons or property by reason of said public exhibition or exhibitions. The bond shall be conditioned upon the payment of any judgment obtained in an action brought against said person so discharging, firing off, exploding or displaying fireworks at any public exhibition or exhibitions thereof, for or on account of any loss, damage or injury resulting to persons or property by reason of the said discharging, firing off, exploding or displaying of said fireworks at said public exhibition or exhibitions; provided that said judgment was obtained in an action brought within a period of twelve months following the date of the public exhibition at which the cause of said action is alleged to have occurred. *Section 57D.* Action on a bond filed under the provisions of the preceding section may be brought by any person or persons holding such judgment and may be brought by such person or persons in the name of the state treasurer but for the benefit and use and at the cost and expense of such person or persons so bringing the said action. *Section 57E.* No action for injury to an employee of a person manufacturing, wholesale storing or publicly exhibiting fireworks shall be brought on a bond given under section fifty-seven A or fifty-seven C, if such injury arises out of and in the course of the employment. If claims under any bond filed under either of said sections are established to an amount greater than the penal sum of

Proviso.

Action on bond, how brought, etc.

Persons discharging, etc., fireworks at public exhibitions to file a bond with state treasurer, etc.

Proviso.

Action on bond, how brought, etc.

No action to be brought on bond for injuries arising in course of employment.

Payment of claims greater in amount

than penal
sum of bond.

Certain rights
and remedies
not affected.

Not applicable
to storage or
discharge of
pyrotechnical
ship or railway
signals.

Penalty.

the bond, such claims shall be paid pro rata to the amount of the penal sum and executions shall issue accordingly. Nothing in the four preceding sections shall deprive a person suffering loss, damage or injury of any other right or remedy provided by law. *Section 57F.* Firecrackers and pyrotechnical ship or railway signals shall be included and classed as fireworks, but the provisions of the five preceding sections shall not apply to the storage of pyrotechnical ship or railway signals, nor to the discharge, firing or exploding of the said signals when used for the protection of life and property. *Section 57G.* Whoever violates any provision of the six preceding sections shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than six months, or both.

Approved May 28, 1921.

Chap. 501 AN ACT RELATING TO THE TERM OF THE NOTES TO BE ISSUED BY THE COMMONWEALTH FOR THE CONSTRUCTION OF CERTAIN BRIDGES OVER THE CHARLES RIVER.

Be it enacted, etc., as follows:

Term of notes
to be issued by
state treasurer
for construc-
tion of certain
bridges over
Charles river.

SECTION 1. The term of the notes which the state treasurer is authorized to issue under the provisions of section four of chapter four hundred and ninety-seven of the acts of nineteen hundred and twenty-one, providing for the construction of certain bridges over the Charles river between the city of Boston and the town of Watertown and between the city of Boston and the city of Cambridge, shall not exceed five years, as recommended by the governor in a message to the general court dated May twenty-seventh, nineteen hundred and twenty-one, in pursuance of section three of article LXII of the amendments to the constitution. The state treasurer is hereby further authorized to issue, with the approval of the governor and council, and in conformity with said recommendation of the governor, temporary notes as may from time to time be required to meet expenditures under said chapter four hundred and ninety-seven, and, with like approval, to renew the same for periods not exceeding five years from the date of the first note issued under authority of said chapter.

Issue of
temporary
notes author-
ized.

Repeal.

SECTION 2. So much of section four of chapter four hundred and ninety-seven of the acts of nineteen hundred and twenty-one as is inconsistent herewith is hereby repealed.

Approved May 28, 1921.

AN ACT IN ADDITION TO THE GENERAL APPROPRIATION ACT *Chap. 502*
 MAKING APPROPRIATIONS TO SUPPLEMENT CERTAIN ITEMS
 CONTAINED THEREIN, AND FOR CERTAIN NEW ACTIVITIES
 AND PROJECTS.

Be it enacted, etc., as follows:

SECTION 1. To provide for supplementing certain items in the general appropriation act, and for certain new activities and projects, the sums set forth in section two, for the particular purposes and subject to the conditions stated therein, are hereby appropriated from the general fund or ordinary revenue of the commonwealth, unless some other source of revenue is expressed, subject to the provisions of law regulating the disbursement of public funds and the approval thereof.

Appropriations to supplement certain items contained in the general appropriation act, and for certain new activities and projects.

SECTION 2.

Item	<i>Service of the Legislative Department.</i>	
2	For the compensation for travel of senators, a sum not exceeding nine hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose,	\$900 00
4	For compensation for travel of representatives, a sum not exceeding fifty-three hundred and forty dollars, the same to be in addition to any amount heretofore appropriated for the purpose,	5,340 00
15	For the salaries of clerks employed in the legislative document room, a sum not exceeding two hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose,	200 00
19	For authorized traveling and other expenses of the committees of the present general court, with the approval of a majority of the committee incurring the same, a sum not exceeding two thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose,	2,000 00
19a	For expenses of the special committee appointed to investigate alleged irregularities in connection with the passage of street railway legislation in nineteen hundred and eighteen and nineteen hundred and nineteen, a sum not exceeding ninety-five hundred dollars,	9,500 00

Legislative Department.

Legislative Department.	Item		
	21	For expenses of summoning witnesses, and for fees of such witnesses, with the approval of the sergeant-at-arms, a sum not exceeding nine hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose,	\$900 00
	28a	For reimbursing certain members of the house of representatives for counsel fees in contested elections, as authorized by an order of the house of representatives, a sum not exceeding eight hundred dollars,	800 00
		Total,	\$19,640 00

Service of the Judicial Department.

Judicial Department. Probate and Insolvency Courts.		Probate and Insolvency Courts, as follows:	
	46	For the salaries of judges of probate of the several counties, a sum not exceeding two hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose,	\$200 00
	49	For the salaries of registers of the several counties, a sum not exceeding two hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose,	200 00
Registers of Probate and Insolvency, clerical assistance.		For clerical assistance to registers of the several counties, as follows:	
	53	Bristol, a sum not exceeding four hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose,	400 00
	57	Hampden, a sum not exceeding six hundred sixty-six dollars and sixty-seven cents, the same to be in addition to any amount heretofore appropriated for the purpose,	666 67
	59	Middlesex, a sum not exceeding one thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose,	1,000 00
	63	Suffolk, a sum not exceeding one hundred and fifty dollars, the same to be in addition to any amount heretofore appropriated for the purpose,	150 00
	64	Worcester, a sum not exceeding five hundred eighty-three dollars and thirty-three cents, the same to be in addition to any amount heretofore appropriated for the purpose,	583 33

Item		
	Commission on Probation:	
79	For personal services of the deputy commissioner, clerks and stenographers, a sum not exceeding five hundred and twenty dollars, the same to be in addition to any amount heretofore appropriated for the purpose,	Commission on Probation. \$520 00
	Total,	\$3,720 00

Service of the Executive Department.

86	For the salaries of officers and employees of the department, a sum not exceeding one thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose,	Executive Department. \$1,000 00
90	For expenses incurred in the arrest of fugitives from justice, a sum not exceeding one thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose,	1,000 00
91½	For the purchase of a portrait of a former governor, as authorized by section nineteen of chapter eight of the General Laws, a sum not exceeding three thousand dollars,	3,000 00
	Total,	\$5,000 00

Service of the Adjutant General.

94	For the personal services of office assistants, a sum not exceeding five hundred twenty dollars and eighty-five cents, the same to be in addition to any amount heretofore appropriated for the purpose,	Adjutant General. \$520 85
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Service of Reorganized Militia.

115d	For maintenance of horses, a sum not exceeding fifteen thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose,	Reorganized Militia. 15,000 00
119a	For expenses of organizing and maintaining an aero squadron, a sum not exceeding two thousand dollars,	2,000 00
	Total,	\$17,000 00

Service of the Chief Quartermaster.

133	For certain alterations and improvements of armories of the first class, a sum not exceeding ten thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose,	Chief Quartermaster. \$10,000 00
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		<i>For Expenses on Account of Wars.</i>	
Expenses on Account of Wars.	Item		
	151 $\frac{1}{2}$	From the unexpended balance of an appropriation made under item one hundred and forty-seven in nineteen hundred and twenty there may be expended, with the approval of the trustees, for certain miscellaneous improvements at the Soldiers' Home in Massachusetts, a sum not exceeding five hundred dollars,	\$500 00
	152 $\frac{1}{4}$	For the placing in the state house of memorials for certain chaplains, as authorized by chapter forty-five of the resolves of the present year, a sum not exceeding two thousand dollars,	2,000 00
	152 $\frac{1}{2}$	For the grand army of the republic of the department of Massachusetts, the sum of one thousand dollars, as authorized by chapter fifteen of the resolves of the present year,	1,000 00
	Total,		\$3,500 00

Service of the State Library.

State Library.	160	For books and other publications and things needed for the library, and the necessary binding and rebinding incidental thereto, a sum not exceeding five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose,	\$500 00
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Service of the Superintendent of Buildings.

Superintendent of Buildings.	The auditor of the commonwealth is hereby authorized and directed to make a transfer in the sum of one thousand dollars from the appropriation made by item one hundred and sixty-two of the general appropriation act, said amount to be added to item one hundred and sixty-one of the general appropriation act.		
	168	For services, supplies and equipment necessary to furnish heat, light and power, a sum not exceeding sixteen thousand five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose,	\$16,500 00
	169	For other services, supplies and equipment necessary for the maintenance and care of the state house, including repairs of furniture and equipment, a sum not exceeding fifteen thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose,	15,000 00
	Total,		\$31,500 00

<i>Printing the General Laws.</i>		
Item		
170 $\frac{1}{4}$	For preparing or completing copy of the several indexes, tables, histories and citations, and for printing six thousand sets of the General Laws with index, a sum not exceeding thirty-eight thousand two hundred fifty-four dollars and forty-nine cents, the same to be in addition to any amount heretofore appropriated for the purpose,	Printing the General Laws. \$38,254 49
170 $\frac{3}{4}$	For reimbursement of costs in the case of Loring versus Young concerning the printing of the Constitution in the General Laws, the sum of four hundred forty-seven dollars and fifty-one cents,	447 51
	Total,	\$38,702 00
<i>Old State House.</i>		
171a	For the expense of certain emergency repairs occasioned by recent fire in the old state house, the sum of four thousand dollars to be paid to the trustees of said building, with the approval of the governor and council, upon satisfactory evidence having been filed that the city of Boston has appropriated an equal sum,	Old State House. \$4,000 00
<i>Service of the Secretary of the Commonwealth.</i>		
178	For printing registration books and blanks and indexing returns, a sum not exceeding three thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose,	Secretary of the Commonwealth. \$3,000 00
182 $\frac{1}{2}$	For the preparation of certain indexes of births, marriages and deaths, a sum not exceeding six thousand dollars, the same to be in addition to the amount appropriated in item one hundred and eighty-seven and one quarter of chapter six hundred and twenty-nine of the acts of nineteen hundred and twenty,	6,000 00
	For printing laws, etc.:	
187	For the purchase of paper used in the execution of the contract for the state printing, a sum not exceeding forty thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose,	Printing laws, etc. 40,000 00
	For printing matters relating to elections:	
190	For personal and other services necessary for preparing and printing ballots for the primary elections, a sum not exceeding six hundred dollars,	Printing matters relating to elections. 600 00

	Item		
Printing matters relating to elections.	191	For the printing and distribution of ballots, a sum not exceeding six hundred dollars,	\$600 00
	193	For furnishing cities and towns with ballot boxes and for repairs to the same, a sum not exceeding fourteen thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose,	14,000 00
	194	For expense of the publication of lists of candidates and forms of questions before state elections, a sum not exceeding eleven hundred dollars,	1,100 00
	195	For the purchase of apparatus to be used at polling places in the canvass and counting of votes, a sum not exceeding one thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose,	1,000 00
	196	For administering the law to permit absent voters to vote at state elections, a sum not exceeding two hundred dollars,	200 00
	197½	For the printing for the use of cities and towns of registers of voters, a sum not exceeding two thousand and sixty-five dollars,	2,065 00
Total,			\$68,565 00
Summer Census:			
Summer census.	201	For personal services and expense of taking a special census in towns having an increased resident population during the summer months, to be covered by assessments upon the towns in which the work is done, a sum not exceeding five hundred dollars,	\$500 00
Refunding of certain fees.	204¼	For the refunding of certain fees under a ruling of the courts, with the approval of the secretary of the commonwealth, a sum not exceeding forty-two hundred and forty dollars,	4,240 00
<i>Service of the Treasurer and Receiver-General.</i>			
Treasurer and Receiver-General.	208½	For personal services and other expenses in administering the provisions of chapter two hundred and eighty-three of the General Acts of nineteen hundred and nineteen, relative to suitable recognition of residents of Massachusetts serving in the army or navy of the United States during the war with Germany, a sum not exceeding nineteen thousand five hundred dollars, the same to be payable from the receipts from taxes levied under said chapter and chapter three hundred and forty-two of the General Acts of nineteen hundred and nineteen, the same to be in addition to any amount heretofore appropriated for the purpose,	\$19,500 00

Item

Board of Retirement:

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| 213 | To cover the special retirement allowances of Henry C. Merwin, authorized by chapter three hundred and thirty-five of the acts of the present year, and E. Gerry Brown, authorized by chapter four hundred and seventy-seven of the acts of the present year, the sum of seven hundred and twenty dollars, the same to be in addition to the amount heretofore appropriated under item two hundred and thirteen of the general appropriation act, | \$720 00 |
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Service of the Auditor of the Commonwealth.

- The auditor of the commonwealth is hereby authorized to make a transfer in the sum of twenty-eight hundred eighty-four dollars and thirty-one cents from the appropriation made by item two hundred and seventeen of the general appropriation act, said amount to be added to item two hundred and sixteen of the general appropriation act.
- 218 For services other than personal, traveling expenses, office supplies and equipment, a sum not exceeding four thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose, \$4,000 00
- Auditor of the Commonwealth.

Unclassified Accounts and Claims.

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|------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 219 | For the compensation of veterans of the civil war and certain others formerly in the service of the commonwealth, now retired, a sum not exceeding three thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose, | \$3,000 00 |
| 225 | For the payment of certain annuities and pensions of soldiers and others under the provisions of certain acts and resolves, a sum not exceeding six hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose, | 600 00 |
| 227a | For the state's portion of the cost of constructing the Winthrop parkway, as provided by chapter three hundred and ninety-seven of the acts of the present year, out of the Metropolitan Parks Maintenance Fund, Boulevards, a sum not exceeding sixty-seven thousand five hundred dollars, the same to be paid from receipts in the Motor Vehicle Fees Fund, | 67,500 00 |

Unclassified Accounts and Claims.	Item		
	232½	For reimbursements of persons for funds previously deposited in the treasury of the commonwealth on account of unclaimed savings bank deposits, a sum not exceeding five thousand dollars,	\$5,000 00
		Total,	\$76,100 00

Service of the Attorney-General's Department.

Attorney- General's De- partment.			
	234a	For certain legal and personal services rendered during the year nineteen hundred and twenty-one, the unexpended balance of the appropriation for nineteen hundred and twenty, to an amount not exceeding twelve thousand dollars, is hereby made available,	\$12,000 00
	235½	For the expense of publishing an additional volume of the opinions of the attorney-general, as authorized by chapter twenty-three of the resolves of the present year, a sum not exceeding four thousand dollars,	4,000 00
		Total,	\$16,000 00

Service of the Department of Agriculture.

Department of Agriculture.			
	239	For services other than personal, printing the annual report, office supplies and equipment, and printing and furnishing trespass posters, a sum not exceeding three hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose,	\$300 00
	243	For other expenses and for disseminating useful information in agriculture, a sum not exceeding one thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose,	1,000 00
		Total,	\$1,300 00

Service of the Department of Conservation.

Department of Conserva- tion. Division of Forestry.	265	Division of Forestry: For the personal services of the state fire warden and his assistants, and for other services, in- cluding traveling expenses of the fire warden and his assistants, necessary supplies and equipment and materials used in new con- struction in the forest fire prevention service, a sum not exceeding six thousand dollars, the same to be in addition to any amount hereto- fore appropriated for the purpose and to any sum allotted to Massachusetts by the United States government for the purpose,	\$6,000 00
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Item

The auditor of the commonwealth is hereby authorized and directed to make transfers in the sum of one thousand dollars from the appropriation made by item two hundred and eighty-four of the general appropriation act, twelve hundred dollars from the appropriation made by item two hundred and eighty-five, and eight hundred dollars from the appropriation made by item two hundred and eighty-three; the total of said items, namely three thousand dollars, to be added to item two hundred and eighty-one of the general appropriation act.

Division of Fisheries and Game.

Division of Animal Industry:

295	For reimbursement of owners of cattle and horses killed, travel, when allowed, of inspectors of animals, incidental expenses of killing and burial, quarantine and emergency services, and for laboratory and veterinary supplies and equipment, a sum not exceeding twenty thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose,	\$20,000 00
	Total,	\$26,000 00

Division of Animal Industry.

Service of the Department of Banking and Insurance.

Division of Banks:

298	For services of directors, examiners and assistants, clerks, stenographers and experts, a sum not exceeding nine thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose,	\$9,000 00
299	For services other than personal, printing the annual report, traveling expenses, office supplies and equipment, a sum not exceeding three thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose,	3,000 00

Department of Banking and Insurance.
Division of Banks.

Division of Savings Banks Life Insurance:

310	For encouraging and promoting old age annuities and the organization of mutual benefit associations among the employees of industrial plants in the commonwealth, a sum not exceeding one thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose,	1,000 00
	Total,	\$13,000 00

Division of Savings Banks Life Insurance.

		Item	<i>Service of the Department of Corporations and Taxation.</i>	
Department of Corporations and Taxation.	312	For the services of additional clerical and other assistance, a sum not exceeding twelve thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose,	\$12,000	00
	315	For other services and for necessary office supplies and equipment, a sum not exceeding one thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose,	1,000	00
	Income Tax Division:			
Income Tax Division.	317	For traveling expenses of members of the division, a sum not exceeding five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose,	500	00
	318	For services other than personal and for office supplies and equipment, a sum not exceeding ten thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose,	10,000	00
	Total,		\$23,500	00
<i>Service of the Department of Education.</i>				
Department of Education.	325	For the personal services of officers, agents, clerks, stenographers and other assistants, but not including those employed in university extension work, a sum not exceeding thirty-five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose,	\$3,500	00
	327	For traveling expenses of members of the board and of agents and employees when required to travel in discharge of their duties, a sum not exceeding five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose,	500	00
	328	For services other than personal, necessary office supplies, and for printing the annual report and bulletins as provided by law, a sum not exceeding one thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose,	1,000	00
English Speaking Classes for Adults:				
English Speaking Classes for Adults.	33Sc	For reimbursement of certain cities and towns, a sum not exceeding forty-six thousand five hundred twenty-five dollars and twenty cents, the same to be in addition to any amount heretofore appropriated for the purpose,	46,525	20

Item

Teachers' Retirement Board:

352	For payment of pensions to retired teachers, a sum not exceeding ten thousand five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose,	Teachers' Retirement Board.	\$10,500 00
	Total,		\$62,025 20

Service of the Department of Civil Service and Registration.

Division of Civil Service:

379	For personal services of the division of civil service, a sum not exceeding eight hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose,	Department of Civil Service and Registration. Division of Civil Service.	\$800 00
381	For other services and for printing the annual report, and for office supplies and equipment, a sum not exceeding eighteen hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose,		1,800 00

Board of Registration in Optometry:

401	For other services, printing the annual report, office supplies and equipment, and traveling expenses of the members of the board, a sum not exceeding two hundred and fifty dollars, the same to be in addition to any amount heretofore appropriated for the purpose,	Board of Registration in Optometry.	250 00
	Total,		\$2,850 00

Commission on Foreign and Domestic Commerce.

The auditor of the commonwealth is hereby authorized and directed to make a transfer in the sum of one thousand dollars from the appropriation made by item four hundred and twenty-nine of the general appropriation act, said sum to be added to item four hundred and thirty of the general appropriation act.	Commission on Foreign and Domestic Commerce.	
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Service of the Department of Mental Diseases.

For the maintenance of and for certain improvements at the following institutions under the control of the Department of Mental Diseases:

436a	For the purchase of certain land at the Norfolk state hospital, a sum not exceeding one hundred dollars, the same to be in addition to the amount appropriated under chapter two hundred and forty-two of the Special Acts of nineteen hundred and nineteen,	Department of Mental Diseases. Norfolk State Hospital.	\$100 00
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	Item		
Gardner State Colony.	451a	For the extension of the water supply at the Gardner state colony, a sum not exceeding one hundred and twenty dollars, the same to be in addition to any amount heretofore appropriated for the purpose,	\$120 00
Massachusetts School for the Feeble-Minded.	455	For the maintenance of the Massachusetts School for the Feeble-Minded, a sum not exceeding twenty-six thousand four hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose,	26,400 00
Taunton State Hospital.	460a	For the spur track and trestle at the Taunton state hospital, a sum not exceeding twelve hundred dollars, the same to be in addition to the appropriation made for this purpose in nineteen hundred and eighteen,	1,200 00
Wrentham State School.	467	For the maintenance of the Wrentham state school, a sum not exceeding twenty-four hundred and sixty-three dollars, the same to be in addition to any amount heretofore appropriated for the purpose,	2,463 00
Total,			\$30,283 00

Service of the Department of Correction.

Department of Correction.	The auditor of the commonwealth is hereby authorized and directed to make a transfer in the sum of three hundred dollars from the appropriation made by item four hundred and eighty of the general appropriation act, said sum to be added to item four hundred and seventy-seven of the general appropriation act.		
	480 $\frac{3}{4}$	For services of guards and for the purchase of equipment needed for the employment of prisoners, as defined in chapter one hundred and twenty-nine of the General Acts of nineteen hundred and seventeen, a sum not exceeding seventy-five hundred dollars,	\$7,500 00
	482a	For the installation of new boilers at the state prison, a sum not exceeding twenty thousand dollars,	20,000 00
Total,			\$27,500 00

Service of the Department of Public Welfare.

Department of Public Welfare.	Division of Aid and Relief:		
Division of Aid and Relief.	The following items are for reimbursement of cities and towns:		
	497	For temporary aid given to state paupers and shipwrecked seamen by cities and towns, for the present year and previous years, a sum not exceeding one hundred and twenty-five thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose,	\$125,000 00

Item		
	Boys' Parole:	
509	For board, clothing, medical and other expenses incidental to the care of boys, a sum not exceeding twenty-three hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose,	Boys' Parole. \$2,300 00
516	For the maintenance of the Lyman school for boys, a sum not exceeding nine hundred and eighty dollars, the same to be in addition to any amount heretofore appropriated for the purpose,	Lyman School for Boys. 980 00
517½	For constructing and furnishing complete a hospital building for state minor wards, the trustees of the Massachusetts hospital school are hereby authorized to incur liabilities not exceeding two hundred thousand dollars, of which amount there is hereby appropriated the sum of seventy-five thousand dollars which shall be considered in addition to the appropriation of seventy-five thousand dollars made by item five hundred and twenty-six and a half of chapter six hundred and twenty-nine of the acts of nineteen hundred and twenty, which is hereby made available for this purpose, and there may be expended during the fiscal year beginning December first, nineteen hundred and twenty-one, the further sum of fifty thousand dollars,	Massachusetts Hospital School. 75,000 00
	Total,	\$203,280 00
	<i>Service of the Department of Public Health.</i>	
520	For personal services of the commissioner, health council and office assistants, a sum not exceeding six hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose,	Department of Public Health. \$600 00
537¼	For expenses in connection with certain land damages on account of work of improving the sanitary condition of the Neponset river, under authority of chaptersix hundred and fifty-five of the acts of nineteen hundred and eleven, a sum not exceeding three thousand dollars,	3,000 00
537½	For expenses of the board to be appointed to apportion and assess betterments upon certain real estate under authority of said chapter six hundred and fifty-five, a sum not exceeding forty-five hundred dollars,	4,500 00
	Division of Tuberculosis:	
541	For personal services of the director, stenographers, clerks and other assistants, a sum not exceeding twelve hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose,	Division of Tuberculosis. 1,200 00

	Item	
Division of Tuberculosis.	542	For services other than personal, including printing the annual report, traveling expenses and office supplies and equipment, a sum not exceeding three hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose,
		\$300 00
North Reading State Sanatorium.	547	For the maintenance of the North Reading state sanatorium, a sum not exceeding six hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose,
		600 00
State's property on Penikese island.	553a	For miscellaneous expenses in caring for the state's property on Penikese island, a sum not exceeding fifteen hundred dollars,
		1,500 00
	Total,	\$11,700 00

Service of the Department of Public Safety.

		Administration:	
Department of Public Safety.	555	For contingent services, including printing the annual report, rent of district offices, supplies and equipment, and all other things necessary for the investigation of fires and moving picture licenses, as required by law, a sum not exceeding three thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose,	\$3,000 00
	574 $\frac{1}{4}$	For personal services and expenses in administering the provisions of chapter four hundred and thirty-eight of the acts of the present year providing for the examination and licensing of motion picture films, a sum not exceeding eighteen thousand six hundred and forty dollars,	18,640 00
	574 $\frac{1}{2}$	For personal services and expenses in the department of state police, as authorized by chapter four hundred and sixty-one of the acts of the present year, a sum not exceeding forty-eight thousand four hundred dollars,	48,400 00
	Total,		\$70,040 00

Service of the Department of Public Works.

		Registration of Motor Vehicles:	
Department of Public Works. Registration of Motor Vehicles.	584	For personal services, a sum not exceeding seventy-five hundred dollars, from receipts in the Motor Vehicle Fees Fund, the same to be in addition to any amount heretofore appropriated for the purpose,	\$7,500 00

Item			
585	For services other than personal, including traveling expenses, purchase of necessary supplies, equipment and materials, including cartage and storage of the same, and for work incidental to the registration and licensing of owners of motor vehicles, a sum not exceeding twenty-five hundred dollars, from receipts in the Motor Vehicle Fees Fund, the same to be in addition to any amount heretofore appropriated for the purpose,	Registration of Motor Vehicles.	\$2,500 00
Division of Waterways and Public Lands:			
607a	For making rail connections with the property of the commonwealth at East Boston, as authorized by chapter four hundred and ninety-four of the acts of the present year, a sum not exceeding one hundred thousand dollars, the same to be paid from the Port of Boston Fund,	Division of Waterways and Public Lands.	100,000 00
607b	For the state's part of the expense of establishing a public reservation at Good Harbor beach in the city of Gloucester, a sum not exceeding five hundred dollars,		500 00
	Total,		\$110,500 00
<i>Service of the Department of Public Utilities.</i>			
The following item is to be assessed upon the gas and electric light companies:			
619	For personal services of the inspector of gas and gas meters, assistant inspectors and deputy inspectors of meters, a sum not exceeding eight hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose,	Department of Public Utilities.	\$800 00
28f	For expenses of a special commission to investigate and recommend a revision of the banking laws, a sum not exceeding twenty-five hundred dollars,	Commission to investigate, etc., revision of banking laws.	2,500 00
624a	For expenses of administering the law to control the sale of securities, to register persons selling the same, to prevent the fraudulent promotion and sale of fraudulent securities, with the approval of the department of public utilities, a sum not exceeding five thousand dollars,	Administration of law to control sale of securities, etc.	5,000 00
28c	For expenses of a special commission to investigate the subject of bail in criminal cases, as authorized by chapter thirty-four of the resolves of the present year, a sum not exceeding one thousand dollars,	Commission to investigate subject of bail in criminal cases.	1,000 00

Item		
Department of Public Works. Division of Highways.	Item five hundred and eighty-seven of chapter two hundred and three of the general appropriation act is hereby amended by striking out said item and inserting in place thereof the following: For the care of snow on highways, as provided by section eleven of chapter eighty-four of the General Laws, a sum not exceeding fifty thousand dollars, from receipts in the Motor Vehicle Fees Fund.	
Commission to investigate problems relating to organization, work, etc., of state departments.	28d For expenses of a special commission to investigate problems relating to organization, work and expenditures of the administrative department of the commonwealth, as authorized by chapter fifty-three of the resolves of the present year, a sum not exceeding five thousand dollars,	\$5,000 00
District Attorneys.	District Attorneys: 70 For salaries of the district attorney, deputy district attorney and assistants for the southeastern district, a sum not exceeding three hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose,	300 00
Recess committee to continue investigation of county government.	28e For expenses of a recess committee to continue the investigation of matters relative to county government, subject to the approval of the governor and council, a sum not exceeding three thousand dollars,	3,000 00
<i>Claims.</i>		
Claims.	Payments for certain claims authorized by the following appropriations shall be certified by the auditor of the commonwealth only upon the filing of satisfactory releases or other evidence that the payments are accepted in full compensation for all liability for compensation on the part of the commonwealth in respect thereto:	
Town of Bedford.	For the town of Bedford, for money expended in the care of James Joseph McDonald, the sum of two hundred eighty-seven dollars and ninety cents,	\$287 90
Mary F. Partridge.	For Mary F. Partridge of Plympton, in full compensation for destruction of property in the work of preventing the spread of white pine blister rust, the sum of one hundred forty-four dollars and twenty cents,	144 20
John Lowe.	For John Lowe of Swansea, in full compensation for destruction of property in the work of preventing the spread of white pine blister rust, the sum of thirty-five dollars,	35 00

Item

For Eva Chase of Boston, in full compensation for expenses incurred on account of injuries received while employed as a clerk by the committee on rules of the house of representatives, the sum of one hundred dollars, . . .	\$100 00	Eva Chase.
For James Slattery, in full compensation for expenses incurred on account of injuries received while employed as a page in the house of representatives, the sum of one hundred dollars, . .	100 00	James Slattery.
For Joseph T. Lawless, as reimbursement for expenses incurred while a member of the American Olympic Rifle Team selected to represent the United States in the Seventh Olympiad, Antwerp, Belgium, the sum of seven hundred fifty-seven dollars and sixty-nine cents, . .	757 69	Joseph T. Lawless.
For John W. Mahoney of Framingham, as reimbursement for hospital expenses while being treated for injuries received in line of duty at the state arsenal, Framingham, on September eighth, nineteen hundred and twenty, the sum of fifty-two dollars and twenty-five cents, . .	52 25	John W. Mahoney.
For Minnie Ward of Boston, in full compensation for injuries received from being run over by an automobile belonging to the commonwealth and operated by an employee of the state prison, the sum of two hundred dollars, the same to be paid from the State Prison Industries Fund, . . .	200 00	Minnie Ward.
For Fannie R. Kennedy, executrix of the estate of John P. Kennedy, as reimbursement for expenses incurred as the result of the illness and death of said John P. Kennedy, former member of the Massachusetts state guard, the sum of six hundred dollars, . . .	600 00	Fannie R. Kennedy.
For John J. McDonough of Boston, in full compensation for damages to his automobile in consequence of being run into by an automobile belonging to the department of the adjutant general, the sum of five hundred dollars, . .	500 00	John J. McDonough.
For Guy C. Sanborn of Gloucester, as reimbursement on account of claims approved by the board of claims for members of the militia, the sum of four hundred sixty-one dollars and seventy-two cents, . . .	461 72	Guy C. Sanborn.
For Catherine Lyons, widow of James J. Lyons, as authorized and subject to the conditions imposed by chapter twenty of the resolves of the present year, the sum of one hundred two dollars and twelve cents, . . .	102 12	Catherine Lyons.
For Louise C. Bartlett of Newton, as authorized by chapter twenty-four of the resolves of the present year, the sum of twelve hundred dollars, . . .	1,200 00	Louise C. Bartlett.

Item		
Louise C. Bartlett, guardian.	For Louise C. Bartlett of Newton, guardian of Elizabeth G. Bartlett, as authorized by chapter twenty-five of the resolves of the present year, the sum of eleven hundred and forty dollars, .	\$1,140 00
Estate of Julia B. Mayo.	For the estate of Julia B. Mayo, as authorized by chapter twenty-six of the resolves of the present year, the sum of nine hundred seven dollars and fifty cents, .	907 50
Helena Devitt.	For Helena Devitt of Sherborn, as authorized by chapter thirty-one of the resolves of the present year, the sum of three hundred dollars, .	300 00
Charles F. Avery.	For Charles F. Avery, as authorized by chapter forty-seven of the resolves of the present year, the sum of twenty-two hundred seventy-three dollars and thirty cents, .	2,273 31
Ella M. Foye.	For Ella M. Foye, as authorized by chapter forty-eight of the resolves of the present year, the sum of fifty dollars, .	50 00
Thomas H. Russell, trustee.	For Thomas H. Russell, trustee, as authorized by chapter forty-nine of the resolves of the present year, the sum of fifteen hundred dollars, .	1,500 00
Certain expenses of judges of probate and insolvency.	For any claims filed under authority of chapter three hundred and twenty-three of the acts of the present year, a sum not exceeding four hundred dollars, .	400 00
Sumner Coolidge.	For Sumner Coolidge, as reimbursement for verdict and costs on account of suit brought against the superintendent by the owner of a dog killed while in a poultry yard at the Lakeville state sanatorium, the sum of two hundred forty-four dollars and seventy-six cents, .	244 76
Total,		\$11,356 45

Miscellaneous.

Miscellaneous. Employees of sergeant-at-arms.	11 For compensation for travel of doorkeepers, assistant doorkeepers, messengers, pages and other employees of the sergeant-at-arms, authorized by law to receive the same, a sum not exceeding six hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose,	\$600 00
House counsel and assistants.	18b For personal services and expenses of the house counsel and assistants during the months of November and December, nineteen hundred and twenty-one, a sum not exceeding one thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose,	1,000 00

Item		
18e	For expenses of the house committee on rules, with the approval of the speaker, a sum not exceeding two hundred dollars,	House committee on rules. \$200 00
27	For contingent expenses of the senate and house of representatives, and necessary expenses in and about the state house, with the approval of the sergeant-at-arms, a sum not exceeding nineteen hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose,	Contingent expenses of general court, etc. 1,900 00
28b	For expenses of a special commission to investigate certain matters of insurance, as authorized by chapter fifty of the resolves of the present year, a sum not exceeding twenty-five hundred dollars,	Commission to investigate certain matters of insurance. 2,500 00
152½	For expenses of the commission required to report on a memorial in France to Massachusetts soldiers who lost their lives in the late war, and relative to the advisability of certain graves, as authorized by chapter four hundred and forty-eight of the acts of the present year, a sum not exceeding six thousand dollars,	Commission on memorial in France to Massachusetts soldiers, etc. 6,000 00
334a	For the promotion of vocational rehabilitation and co-operation with the federal government, with the approval of the department of education, a sum not exceeding ten thousand dollars,	Promotion of vocational rehabilitation, etc., with federal government. 10,000 00

Metropolitan District Commission.

The following items are to be assessed upon the several districts in accordance with the methods fixed by law, and to be expended under the direction and with the approval of the metropolitan district commission:

634a	For the acquiring of land and construction of a parkway as authorized by chapter three hundred and ninety-seven of the acts of the present year, a sum not exceeding one hundred fifty-seven thousand five hundred dollars, except that the part of the cost which it is required by said act to be assessed upon the city of Revere and the town of Winthrop shall be deducted from this appropriation before assessments are made upon the metropolitan parks district for maintenance of boulevards,	Metropolitan District Commission. Winthrop parkway, construction, etc. \$157,500 00
634b	For the construction of a retaining wall, as authorized by chapter three hundred and seventy-eight of the acts of the present year, a sum not exceeding twenty-five hundred dollars, the same to be paid out of the Metropolitan Parks Maintenance Fund, Boulevards,	Metropolitan parkway in city of Everett, construction of retaining wall. 2,500 00

	Item	
Dedham parkway, construction.	634c	For the construction of the Dedham parkway, so-called, a sum not exceeding seven thousand dollars, the same to be paid out of the Metropolitan Parks Maintenance Fund, Boulevards, \$7,000 00
Cradock bridge in Medford, construction.	630d	For the construction of Cradock bridge in Medford, as authorized by chapter three hundred and ninety-eight of the acts of the present year, a sum not exceeding twenty thousand dollars, of which sum ten thousand dollars shall be collected from the city of Medford before assessments are made upon the district, 20,000 00
Pumping station for disposal of sewage for town of Reading.	Item six hundred and thirty-five of chapter two hundred and three of the acts of the present year is hereby amended by inserting after the word "station" the words " , the installation of pumping machinery and the completion of the sewer, and any other expenditure authorized by chapter one hundred and fifty-nine of the General Acts of nineteen hundred and sixteen," so that said item will read as follows: — 635. For the construction of a pumping station, the installation of pumping machinery and the completion of the sewer, and any other expenditure authorized by chapter one hundred and fifty-nine of the General Acts of nineteen hundred and sixteen, for the disposal of sewage for the town of Reading, a sum not exceeding forty thousand dollars, the same to be paid from the Metropolitan Sewerage Maintenance Fund, North System.	
North metropolitan sewerage district.	635½	The auditor of the commonwealth is hereby authorized and directed to pay certain bills incurred during the fiscal year nineteen hundred and twenty, in the sum of ten hundred eighty-three dollars and sixty cents, out of the appropriation made by item six hundred and thirty-five and one half of chapter two hundred and three of the acts of the present year.
South metropolitan sewerage district.	636	The auditor of the commonwealth is hereby authorized and directed to pay certain bills incurred during the fiscal year nineteen hundred and twenty, in the sum of ten hundred twenty-three dollars and forty-nine cents, out of the appropriation made by item six hundred and thirty-six of chapter two hundred and three of the acts of the present year.

Total, \$187,000 00

DEFICIENCIES.

Deficiencies.

For deficiencies in certain appropriations of previous years, in certain items, as follows:

Item

Legislative Department.

For stationery for the house of representatives, purchased by and with the approval of the clerk, the sum of eighty-nine dollars, . . .	Legislative Department.	\$89 00
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Judiciary.

Superior Court:		
For traveling allowance and expenses of the justices, the sum of six hundred thirty-four dollars and ninety-four cents,	Judiciary. Superior Court.	\$634 94

Department of the Secretary of the Commonwealth.

Elections:		
For expenses of the publication of lists of candidates and forms of questions before state elections, the sum of nine hundred ninety-eight dollars and twenty-five cents,	Department of Secretary of the Commonwealth. Elections.	\$998 25

Printing:		
For printing and binding the blue book edition of the acts and resolves of the present year, the sum of three hundred six dollars and twenty cents,	Printing and binding blue book.	306 20

Attorney-General's Department.

For services other than personal, traveling expenses, office supplies and equipment, the sum of one hundred twenty-two dollars and eighty-two cents,	Attorney-General's Department.	\$122 82
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Department of Education.

Massachusetts Agricultural College:		
For maintenance and current expenses of the Massachusetts Agricultural College, the sum of twenty-seven hundred seventy-two dollars and fifty-one cents,	Department of Education. Massachusetts Agricultural College.	\$2,772 51

Department of Public Welfare.

Industrial School for Girls:		
For the maintenance of the industrial school for girls, the sum of two hundred eighty-one dollars and thirty-one cents,	Department of Public Welfare. Industrial School for Girls.	\$281 31

Department of Public Health.

Penikese Hospital:		
For the maintenance of the Penikese hospital, to be expended with the approval of the department of public health, the sum of one hundred and sixty-two dollars,	Department of Public Health. Penikese Hospital.	\$162 00

Item		<i>Department of Public Safety.</i>	
Department of Public Safety.	Administration:		
	For contingent services, including printing the annual report, rent of district offices, supplies and equipment, and all other things necessary for the investigation of fires and moving picture licenses, as required by law, the sum of one hundred twenty-four dollars and eight cents,		\$124 08
Division of Inspections.	Division of Inspections:		
	For traveling expenses of officers for the boiler inspection service, the sum of forty-one dollars and forty-three cents,		41 43
Division of State Police.	Division of State Police:		
	For traveling expenses of the division, the sum of eighty-four dollars and twenty-eight cents, .		84 28
Total,			\$5,616 82
General Fund,			\$962,459 32
Metropolitan District Commission,			187,000 00

Treasurer and receiver-general may transfer balance of certain fund.

SECTION 3. The treasurer and receiver-general is hereby authorized and directed to transfer the balance of forty-nine thousand one hundred twenty-three dollars and forty-three cents, remaining to the credit of a fund known as the Compensation Fund for Boston Harbor, to the Port of Boston Fund established by chapter six hundred and sixty-three of the acts of nineteen hundred and twelve.

SECTION 4. This act shall take effect upon its passage.
Approved May 28, 1921.

RESOLVES.

RESOLVE IN FAVOR OF FRANCIS W. GOODWIN OF DANVERS. *Chap. 1*

Resolved, That the industrial accident board is hereby authorized and directed to consider the claim of Francis W. Goodwin of Danvers, arising from an injury in the course of his employment as a mechanic's helper in the employ of the Danvers state hospital, in November, nineteen hundred and eighteen, caused by a fall on the ice, the results of said fall not having become fully apparent until on or about May thirty-one, nineteen hundred and twenty, but finally resulting in rendering the said Goodwin's right hand permanently incapable of use, as a valid claim for adjudication under chapter one hundred and fifty-two of the General Laws and to make an agreement in regard to compensation and medical and hospital expenses, on behalf of the commonwealth, with the said Goodwin, under the provisions of said chapter. Upon the filing of an agreement with the state auditor there shall be paid to the said Goodwin such sums as may be due thereunder, the same to be continued on a weekly basis in accordance with the provisions of said chapter.

Industrial
accident board
to consider
claim of
Francis W.
Goodwin.

Approved February 18, 1921.

RESOLVE CONFIRMING THE ACTS OF THOMAS F. GRACE AS A JUSTICE OF THE PEACE. *Chap. 2*

Resolved, That the acts of Thomas F. Grace as a justice of the peace, between July twenty-third, nineteen hundred and nineteen, and October sixth, nineteen hundred and twenty, are hereby confirmed and made valid to the same extent as if during that time he had been qualified to discharge the duties of said office.

Acts of Thomas
F. Grace as a
justice of the
peace con-
firmed.

Approved February 18, 1921.

RESOLVE TEMPORARILY EXTENDING THE TERM OF THE COMMISSION ON THE NECESSARIES OF LIFE. *Chap. 3*

Resolved, That pending further action by the general court, the term of service of the commission on the necessities of life, appointed under chapter three hundred and forty-one of

Term of com-
mission on
necessaries of
life temporarily
extended.

the General Acts of nineteen hundred and nineteen, as amended by chapter three hundred and sixty-five of the General Acts of the said year, and as affected by chapter six hundred and twenty-eight of the acts of nineteen hundred and twenty, is hereby extended to May first in the current year, and during said extended term the commission shall have all the powers and duties conferred or imposed by said chapters and shall be subject to all the provisions thereof as to compensation and otherwise. The chairman of said commission shall also during said term, but without additional compensation, continue to act as fuel administrator with all the powers and duties conferred or imposed by, and subject to, the provisions of chapter three hundred and forty-two of the General Acts of nineteen hundred and seventeen, as affected by chapters six hundred and ten and six hundred and twenty-eight of the acts of nineteen hundred and twenty, relating to the duties, authority and powers of a fuel administrator, but nothing herein contained shall be construed to terminate his appointment or authority on said May first.

Approved February 28, 1921.

Chairman to continue to act as fuel administrator.

Chap. 4 RESOLVE DIRECTING THE DEPARTMENT OF PUBLIC HEALTH TO INVESTIGATE AND REPORT AS TO THE NECESSITY OF ESTABLISHING AND MAINTAINING A LABORATORY IN THE VICINITY OF SPRINGFIELD.

Department of public health to investigate, etc., as to establishment of a laboratory near Springfield.

Resolved, That the department of public health is hereby directed to investigate and report to the next annual session of the general court, on or before the first Wednesday in January, as to the necessity of establishing in the vicinity of Springfield a laboratory for the diagnosis of communicable diseases, for the examination of food and drug products and for other laboratory analyses and investigations.

Approved March 18, 1921.

Chap. 5 RESOLVE PROVIDING FOR THE PREPARATION AND PUBLICATION OF A REPORT ON THE BIRDS OF MASSACHUSETTS.

Department of agriculture may prepare a report on birds of Massachusetts.

Resolved, That the department of agriculture is hereby authorized, subject to such appropriations as may be made, to prepare a report on the birds of the commonwealth, including the facts ascertained by the director of the division of ornithology regarding the economic value, geographical distribution and life history of such birds.

Approved March 18, 1921.

RESOLVE RELATIVE TO AN INVESTIGATION OF THE COM- *Chap. 6*
PARATIVE COST OF SERVICE OF DIFFERENT METHODS OF
TRANSPORTATION ON PUBLIC HIGHWAYS.

Resolved, That the department of public utilities is hereby directed to investigate the comparative safety and cost of service to responsible common carriers in carrying passengers on highways by electric railway or by automobile. Said department shall report to the general court on or before the first Wednesday in January, nineteen hundred and twenty-two, the comparative cost of service and safety to passengers and others under equal conditions of speed and time schedules in large vehicles operated by two men, and small vehicles operated by one man, on highways in thinly and thickly settled districts. Said report shall also include a brief summary of the effect in blocking and delaying traffic in congested districts of the use of relatively small self-propelled vehicles carrying fifteen passengers each not confined to rails and capable of making detours, as compared with the use of relatively large self-propelled vehicles carrying thirty-five or more passengers each confined to rails, and an opinion as to what seems to be the time necessary to receive and discharge passengers for each such type of vehicle. Said department shall conduct the investigation, so far as possible, with the services of its regular employees, and shall not incur expenditures beyond such as are covered by the appropriations made in the general appropriation act.

Investigation of comparative cost of service of different methods of transportation on public highways.

Approved March 23, 1921.

RESOLVE TO PROVIDE FOR THE ESTABLISHMENT OF HOW- *Chap. 7*
LAND PARK IN THE TOWN OF PLYMOUTH.

Resolved, That the Pilgrim tercentenary commission be authorized to acquire by purchase, or take by eminent domain under chapter seventy-nine of the General Laws, so much of the property adjoining the historic John Howland house in the town of Plymouth as may be necessary to establish a public park to be known as Howland Park, and said commission is hereby authorized to establish said public park; provided that said property shall not be acquired and said park shall not be established unless and until the commission is in possession of adequate guaranties that said acquisition and the maintenance of said park will be effected without expense to the commonwealth or to said town.

Establishment of Howland Park in town of Plymouth.

Proviso.

Approved March 25, 1921.

Chap. 8 RESOLVE PROVIDING FOR AN INVESTIGATION RELATIVE TO THE BUSHEL WEIGHT OF FRUITS, VEGETABLES AND OTHER COMMODITIES.

Investigation relative to bushel weight of fruits, vegetables and other commodities.

Resolved, That the commissioner of labor and industries, the director of standards, the commissioner of agriculture and the director of the division of markets, sitting jointly, are hereby directed to investigate the expediency of revising the schedule of bushel weights prescribed for fruits, vegetables and other commodities by section one hundred and seventy-three of chapter ninety-four of the General Laws, and to make such recommendations for legislation in relation thereto as may appear necessary, together with any other recommendations for legislation that would tend to establish a more satisfactory basis for the retail sale of said commodities. They shall report to the general court on or before the first Wednesday of January, nineteen hundred and twenty-two. Any and all expenses incurred in making the investigation shall be paid from appropriations made for the annual maintenance of the departments of labor and industries and agriculture.

Approved March 29, 1921.

Chap. 9 RESOLVE RELATIVE TO AN INVESTIGATION AND REPORT BY THE BOARD OF TRUSTEES OF THE BOSTON ELEVATED RAILWAY COMPANY ON THE ADVISABILITY OF INSTITUTING A FIVE-CENT CAR FARE ON CERTAIN LINES OF SAID COMPANY.

Investigation as to advisability of instituting a five-cent fare on certain lines of Boston Elevated Railway Company.

Resolved, That the board of trustees of the Boston Elevated Railway Company is hereby requested to investigate the advisability of instituting a five-cent car service on the surface lines under the control of said board in the city of Boston over the following routes: — starting from a point on Atlantic avenue, near the South station, in Dewey square in said city, along Dorchester avenue to Field's Corner in the Dorchester district of said city, and from Field's Corner in said district, by way of Meeting House Hill and Hancock street, Columbia road, Boston street, Dorchester avenue, to the South station aforesaid. The said board shall file its report thereon with the general court not later than April fifteenth, nineteen hundred and twenty-one.

Approved March 29, 1921.

RESOLVE PROVIDING FOR THE PAYMENT TO THE WIDOW OF *Chap. 10*
THE LATE REPRESENTATIVE JOHN C. MARSHALL OF THE
BALANCE OF THE SALARY TO WHICH HE WOULD HAVE
BEEN ENTITLED FOR THE CURRENT SESSION.

Resolved, That there be allowed and paid out of the treasury of the commonwealth to the widow of John C. Marshall of Pittsfield, who died while a member of the present house of representatives, the balance of the salary of fifteen hundred dollars to which he would have been entitled had he lived and served until the end of the present session. The state treasurer is hereby directed to make the payment hereby authorized out of the appropriation made in item three of the general appropriation act.

Payment to
widow of late
Representative
John C.
Marshall.

Approved March 29, 1921.

RESOLVE IN FAVOR OF JULIA F. HARRINGTON, ADMINISTRATRIX. *Chap. 11*

Resolved, That there be paid from the treasury of the commonwealth to Julia F. Harrington, administratrix of the estate of Daniel H. Harrington, late member of the Fall River fire department, who died on May thirtieth, nineteen hundred and twenty, as a result of injuries sustained while in the discharge of his duties, the sum of fifteen hundred dollars in addition to sums heretofore paid to said administratrix. The sum hereby appropriated shall be paid for the uses set forth in section eighty-three of chapter forty-eight of the General Laws and shall be payable from item two hundred and thirty of the general appropriation act of the current year.

In favor of Julia
F. Harrington,
administratrix.

Approved April 4, 1921.

RESOLVE AUTHORIZING THE DIVISION OF WATERWAYS AND PUBLIC LANDS OF THE DEPARTMENT OF PUBLIC WORKS TO MAKE A SURVEY OF THE GREAT PONDS OF THE COMMONWEALTH. *Chap. 12*

Resolved, That the division of waterways and public lands of the department of public works is hereby authorized to make such surveys, examinations, maps and plans of the great ponds within the commonwealth, except any great pond in the custody of any state board, commission or department other than said department of public works, as it may deem reasonable and proper, to determine the rights of the commonwealth in such great ponds and in the islands

Division of
waterways and
public lands
may make survey of great
ponds of commonwealth.

therein, and to expend in carrying out the provisions of this resolve during the years nineteen hundred and twenty-one and nineteen hundred and twenty-two a sum not exceeding five thousand dollars, to be paid out of the appropriation for the improvement and development of rivers and harbors.

Approved April 4, 1921.

Chap. 13 RESOLVE VALIDATING THE MARRIAGE OF FREDERICK LEWIS KUHN AND FLORA COWDREY AND MAKING LEGITIMATE THE ISSUE THEREOF.

Marriage of Frederick Lewis Kuhn and Flora Cowdrey validated and issue thereof made legitimate.

Resolved, That whereas, Flora Cowdrey late of Fitchburg, in good faith married Frederick Lewis Kuhn, late of Fitchburg, without knowledge that he had a prior wife living and thereafter in good faith lived with him as his wife, and there was issue of such marriage the following child: Herbert Lewis Kuhn.

And whereas, said Flora Cowdrey Kuhn died in ignorance of said prior wife on the part of Frederick Lewis Kuhn, and whereas said Frederick Lewis Kuhn died before said prior marriage could be annulled;

Now, therefore, it is hereby declared that Flora Cowdrey Kuhn was lawfully married to Frederick Lewis Kuhn and that Herbert Lewis Kuhn is the legitimate child of Frederick Lewis Kuhn and Flora Cowdrey Kuhn. Nothing herein contained shall affect any property right heretofore vested.

Approved April 4, 1921.

Chap. 14 RESOLVE IN FAVOR OF JOHN C. AND MARY MATHEWS OF BOSTON.

In favor of John C. and Mary Mathews of Boston.

Resolved, That there be allowed and paid out of the treasury of the commonwealth, from item four hundred and forty-six of the general appropriation act of the current year, to John C. and Mary Mathews, the sum of three hundred and fifty dollars in full compensation for all damages sustained by them on November fourth, nineteen hundred and seventeen as a result of a collision with an automobile, then used by the superintendent of the Foxborough state hospital on business of the commonwealth. The said amount shall be paid only upon filing with the state auditor a release, in form approved by the attorney-general, duly executed by the said John C. and Mary Mathews, agreeing that the said sum is received in full satisfaction of any and all claims against the commonwealth and against any employees of the commonwealth.

Approved April 6, 1921.

RESOLVE IN FAVOR OF THE GRAND ARMY OF THE REPUBLIC *Chap. 15*
OF THE DEPARTMENT OF MASSACHUSETTS.

Resolved, That, subject to such appropriations as may be hereafter made, there be allowed and paid out of the treasury of the commonwealth a sum not exceeding one thousand dollars annually, for a period of five years, to aid in defraying the expenses of maintaining the headquarters of the Grand Army of the Republic of the Department of Massachusetts in the state house. Payments for such aid shall be made upon the presentation to the state auditor of vouchers therefor, approved by the assistant adjutant general and the commander of said department.

In favor of
Grand Army of
the Republic of
the Department
of Massachu-
setts.

Approved April 8, 1921.

RESOLVE RELATIVE TO THE WIDENING OF WESTERN AVENUE *Chap. 16*
AND THE CONSTRUCTION OF A SEAWALL IN THE CITY OF
GLOUCESTER.

Resolved, That the division of waterways and public lands of the department of public works is hereby authorized to confer with the city officials of the city of Gloucester and with the county commissioners of the county of Essex relative to the widening of Western avenue and the construction of a seawall and improvements in connection therewith, in the city of Gloucester, and to report thereon to the general court at the next annual session, not later than the second Saturday in January, with its recommendations as to what part, if any, of the expense involved should be borne by the commonwealth.

Widening of
Western
avenue and
construction of
a seawall in city
of Gloucester.

Approved April 8, 1921.

RESOLVE DIRECTING THE METROPOLITAN DISTRICT COM- *Chap. 17*
MISSION TO INVESTIGATE CONNECTIONS BETWEEN LYNN
WOODS AND THE LYNN-NAHANT SHORE DRIVE.

Resolved, That the metropolitan district commission be directed (1) to investigate a route or routes, other than those that have previously been investigated, to connect Lynn woods with the Lynn-Nahant shore drive; (2) to estimate the cost of acquiring the land for such route or routes, and (3) to estimate the cost of constructing each route investigated. Said commission shall submit its estimates, together with its recommendations, to the next annual session of the general court not later than the second Saturday in January.

Metropolitan
district com-
mission to
investigate
connections
between Lynn
woods and
Lynn-Nahant
shore drive.

Approved April 12, 1921.

Chap. 18 RESOLVE AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO MAKE FURTHER SURVEYS RELATIVE TO A WATERWAY FROM THE TAUNTON RIVER TO MASSACHUSETTS BAY.

Surveys relative to a waterway from Taunton river to Massachusetts bay.

Resolved, That the department of public works is hereby authorized to make such further surveys and examinations of the territory between Taunton river and Massachusetts bay as it may deem necessary and to prepare estimates of the probable cost of a waterway from Taunton river to Massachusetts bay. The department shall submit such estimates to the next annual session of the general court not later than the second Saturday in January. *Approved April 12, 1921.*

Chap. 19 RESOLVE IN FAVOR OF DENNIS McCADDEN OF EVERETT.

In favor of Dennis McCadden.

Resolved, That there be allowed and paid out of the treasury of the commonwealth, from item number six hundred and thirty-four of the general appropriation act of the current year, to Dennis McCadden of Everett, the sum of two hundred fifty-three dollars and seventy-five cents in full compensation for all damages sustained by him in the summer of nineteen hundred and twenty as a result of a collision with a motor vehicle belonging to the parks division of the metropolitan district commission. The said sum shall be paid only upon filing with the state auditor a release, in form approved by the attorney-general, duly executed by the said Dennis McCadden, agreeing that the said sum is received in full satisfaction of any and all claims against the commonwealth or any officer or employee thereof.

Approved April 12, 1921.

Chap. 20 RESOLVE IN FAVOR OF THE WIDOW OF JAMES J. LYONS.

In favor of widow of James J. Lyons.

Resolved, That there be allowed and paid to Catherine Lyons, widow of James J. Lyons, late an officer of the supreme judicial court, the remainder of the salary to which he would have been entitled had he lived and continued as such officer until the end of the calendar year nineteen hundred and twenty. Of the said sum the commonwealth shall pay one fifth and the county of Suffolk four fifths. This resolve shall take effect upon its acceptance by vote of the city council of the city of Boston, subject to the provisions of its charter; provided that such acceptance occurs prior to December thirty-first in the current year. *Approved April 12, 1921.*

To be submitted to Boston city council, etc.

Proviso.

RESOLVE PROVIDING FOR AN INVESTIGATION BY THE DE- *Chap. 21*
PARTMENT OF PUBLIC WORKS RELATIVE TO THE BOUNDARY
LINE IN TIDE WATER BETWEEN THE TOWNS OF DENNIS
AND YARMOUTH.

Resolved, That the division of waterways and public lands of the department of public works is hereby authorized and directed to make such investigation as it may deem necessary and advisable for the purpose of locating and defining the boundary line in tide water between the towns of Dennis and Yarmouth on the Nantucket Sound side, and to report the results of its investigation to the general court on or before January fifteenth, nineteen hundred and twenty-two.

Investigation relative to boundary line in tide water between towns of Dennis and Yarmouth.

Approved April 12, 1921.

RESOLVE PROVIDING FOR FURTHER INVESTIGATION OF A *Chap. 22*
COMPREHENSIVE SYSTEM OF RAPID TRANSIT FOR THE
DORCHESTER DISTRICT OF THE CITY OF BOSTON.

Resolved, That the department of public utilities and the transit department of the city of Boston be constituted a joint board to investigate further a comprehensive system or systems of rapid transit in the Dorchester district of the city of Boston, with feeders from the Hyde Park district of the city and other places, and to report its conclusions and recommendations, with drafts of such legislation as it may deem expedient to the next annual session of the general court not later than the tenth day of January. The said board may expend for the purpose aforesaid such sums as are authorized by chapter thirty-six of the resolves of nineteen hundred and twenty, the same to be assessed, repaid and redistributed as therein provided.

Further investigation of a comprehensive system of rapid transit for Dorchester district of city of Boston.

Approved April 13, 1921.

RESOLVE AUTHORIZING THE PUBLICATION OF AN ADDITIONAL *Chap. 23*
VOLUME OF OPINIONS OF THE ATTORNEY-GENERAL.

Resolved, That the attorney-general is hereby authorized to collect and publish in a volume properly indexed and digested such of the official opinions heretofore published as an appendix to the annual reports of the attorney-general during the years nineteen hundred and seventeen to nineteen hundred and twenty, inclusive, as he may deem to be

Publication of additional volume of opinions of attorney-general authorized.

of public interest or useful for reference. Two hundred copies may be distributed under his direction, one copy shall be sent to each member and officer of the general court for the year nineteen hundred and twenty-one and to each public library and law library in the commonwealth, and the remainder may be sold by the state secretary. There may be expended for the purposes of this resolve such sum as shall be appropriated. *Approved April 13, 1921.*

Chap. 24 RESOLVE IN FAVOR OF LOUISE C. BARTLETT OF NEWTON.

In favor of
Louise C. Bartlett.

Resolved, That after an appropriation has been made for the purpose, and subject to the provisions thereof, there may be paid out of the treasury of the commonwealth, from current income tax receipts, to Louise C. Bartlett of Newton, the sum of twelve hundred dollars, as reimbursement for an overpayment of an income tax. *Approved April 22, 1921.*

Chap. 25 RESOLVE IN FAVOR OF LOUISE C. BARTLETT OF NEWTON,
GUARDIAN OF ELIZABETH G. BARTLETT.

In favor of
Louise C. Bartlett,
guardian.

Resolved, That after an appropriation has been made for the purpose, and subject to the provisions thereof, there may be paid out of the treasury of the commonwealth, from current income tax receipts, to Louise C. Bartlett of Newton, guardian of Elizabeth G. Bartlett, the sum of eleven hundred and forty dollars, as reimbursement for an overpayment of an income tax. *Approved April 22, 1921.*

Chap. 26 RESOLVE IN FAVOR OF THE ESTATE OF JULIA B. MAYO.

In favor of
estate of Julia
B. Mayo.

Resolved, That after an appropriation has been made for the purpose, and subject to the provisions thereof, there may be paid out of the state treasury to Harry G. Fisk, Edward O. Sutton and Emily Mayo Schell, executors of the will of Julia B. Mayo, late of Springfield, the sum of nine hundred and seven dollars and fifty cents, as reimbursement for a sum paid through error into the state treasury on March thirty-first, nineteen hundred and sixteen, as a succession tax upon certain property passing under said will.

Approved April 22, 1921.

RESOLVE REQUESTING THE ATTORNEY-GENERAL TO HEAR *Chap. 27*
CERTAIN CLAIMS OF PERSONS WHOSE PROPERTY WAS DAM-
AGED BY ACTS OF VIOLENCE COMMITTED ON PROPERTY
BELONGING TO JUDGE ALBERT F. HAYDEN OF BOSTON.

Resolved, That the attorney-general is hereby requested to hear the claims of persons whose property was damaged by acts of violence, committed by persons unknown, on property belonging to Albert F. Hayden, justice of the municipal court of the Roxbury district of the city of Boston, and to report to the general court not later than the first Wednesday in January, nineteen hundred and twenty-two, the names of persons whose property was damaged and the amount of damages sustained by such persons, and whether or not there is any legal or other obligation on the part of the commonwealth, the county of Suffolk or the city of Boston in relation thereto.

Attorney-general requested to hear certain claims of persons whose property was damaged by acts of violence committed on property of Judge Albert F. Hayden.

Approved April 22, 1921.

RESOLVE IN FAVOR OF SUSAN W. ATTAQUIN HANDY. *Chap. 28*

Resolved, That there be paid annually from the treasury of the commonwealth, in equal quarterly instalments, from December first, nineteen hundred and twenty, the sum of one hundred and fifty dollars to Susan W. Attaquin Handy of Mashpee, a descendant of the Algonquin tribe of Indians. Said annuity shall continue during her life.

In favor of Susan W. Attaquin Handy.

Approved April 26, 1921.

RESOLVE IN FAVOR OF RHODA F. STURGIS OF MASHPEE. *Chap. 29*

Resolved, That there be paid annually from the treasury of the commonwealth, in equal quarterly instalments, from December first, nineteen hundred and twenty, the sum of one hundred and fifty dollars to Rhoda F. Sturgis of Mashpee, a descendant of the Mashpee tribe of Indians. Said annuity shall continue during her life.

In favor of Rhoda F. Sturgis.

Approved April 26, 1921.

RESOLVE AUTHORIZING THE SALE AND CONVEYANCE OF *Chap. 30*
PENIKESSE ISLAND AND THE BUILDINGS THEREON.

Resolved, That the commissioner of public health and the supervisor of administration, acting jointly, are hereby authorized to sell and convey, with the approval of the governor and council, Penikese island and the buildings thereon formerly occupied as a hospital for lepers.

Sale, etc., of Penikese island and buildings thereon, authorized.

Approved April 26, 1921.

Chap. 31 RESOLVE IN FAVOR OF HELENA DEVITT OF SHERBORN.

In favor of
Helena Devitt.

Resolved, That there be allowed and paid out of the treasury of the commonwealth the sum of three hundred dollars to Helena Devitt of Sherborn, who was assaulted on May twenty-first, nineteen hundred and twenty, by a patient of the Medfield state hospital while escaping therefrom.

Approved April 26, 1921.

Chap. 32 RESOLVE DIRECTING THE SECRETARY OF THE COMMONWEALTH AND THE ATTORNEY-GENERAL TO INVESTIGATE THE OPERATION OF THE LAW RELATIVE TO THE LEGAL RESIDENCE OF WOMEN VOTERS.

Investigation of
operation of law
relative to legal
residence of
women voters.

Resolved, That the state secretary and the attorney-general are hereby directed to investigate the operation of the laws of the commonwealth relative to the legal residence of women voters, and such matters as are contained in house bills nine hundred and seventeen and nine hundred and eighteen of the current session. They shall report the results of their investigations, with such recommendations, if any, as will best accomplish the results sought in the aforesaid house bills, to the next annual session of the general court, on or before the second Wednesday in January. *Approved April 26, 1921.*

Chap. 33 RESOLVE PROVIDING FOR AN INVESTIGATION BY THE DIVISION OF WATERWAYS AND PUBLIC LANDS RELATIVE TO ESTABLISHING A PUBLIC BATHING BEACH IN EAST BOSTON.

Investigation
relative to
establishing a
public bathing
beach in East
Boston.

Resolved, That the division of waterways and public lands of the department of public works is hereby authorized and directed to make investigations relative to the establishment of a public bathing beach at or in the vicinity of Wood Island Park, or at or in the vicinity of Marginal and Lewis streets in East Boston, and to report thereon to the general court not later than May thirty-first in the current year.

Approved April 26, 1921.

Chap. 34 RESOLVE PROVIDING FOR AN INVESTIGATION BY A SPECIAL COMMISSION OF THE SUBJECT OF BAIL IN CRIMINAL CASES.

Investigation
of the subject
of bail in
criminal cases.

Resolved, That, for the purpose of investigating the subject of bail in criminal cases, the administration of the laws relative thereto and related matters, a special commission is hereby created, to consist of an associate justice of the

superior court, two district attorneys and two clerks of court, to be designated by the governor, with the advice and consent of the council. The commission may expend such sums as may be approved by the governor and council, not exceeding the sum which may hereafter be appropriated for the purpose, shall be vested with all the powers as to summoning witnesses conferred upon city councils by section eight of chapter two hundred and thirty-three of the General Laws and shall report to the general court not later than the second Wednesday in January, nineteen hundred and twenty-two, with such recommendations for legislation, accompanied by drafts of bills for the same, as it may deem advisable.

Approved April 26, 1921.

RESOLVE IN FAVOR OF THE WIDOW OF THOMAS M. BUTLER. *Chap. 35*

Resolved, That there be paid out of the Metropolitan Sewerage Maintenance Fund, North System, an annuity of three hundred dollars to Bridget M. Butler, widow of Thomas M. Butler, former employee at the East Boston pumping station who was killed as the result of an explosion June first, nineteen hundred and fourteen, said annuity to begin on April first, nineteen hundred and twenty-one, and to continue while the said Bridget M. Butler has a child younger than sixteen, except that in case the said Bridget M. Butler remarries, the payments on account of the annuity shall cease.

In favor of
widow of
Thomas M.
Butler.

Approved April 30, 1921.

RESOLVE IN FAVOR OF DANIEL S. BLISS.

Chap. 36

Resolved, That there be paid from the Metropolitan Sewerage Maintenance Fund, North System, to Daniel S. Bliss of Boston, an annuity of three hundred dollars, payable in monthly instalments, for a period of five years, beginning April first, nineteen hundred and twenty-one, the said Daniel S. Bliss being incapacitated as a result of injuries sustained while performing his duty in the service of the board of metropolitan sewerage commissioners. Said annuity shall terminate upon his decease within said period.

In favor of
Daniel S. Bliss.

Approved April 30, 1921.

RESOLVE AUTHORIZING THE EXECUTION OF A SUPERSEDEAS BOND AS SURETY FOR CHARLES L. BURRILL. *Chap. 37*

Resolved, That the governor be authorized to execute in the name and in behalf of the commonwealth as surety for Charles L. Burrill, former treasurer and receiver-general, a

Execution of a
supersedeas
bond as surety
for Charles L.
Burrill author-
ized.

supersedeas bond in a penal sum not exceeding ten thousand dollars for the purpose of enabling him to prosecute a writ of error to review a judgment obtained against him in the United States district court for the district of Massachusetts in an action at law brought against him by the American Piano Company to recover from him personally certain foreign corporation excise taxes paid to him as treasurer and receiver-general of the commonwealth.

Approved April 30, 1921.

Chap. 38

In favor of
Robert W.
Browning.

RESOLVE IN FAVOR OF ROBERT W. BROWNING.

Resolved, That there be allowed and paid out of the treasury of the commonwealth to Robert W. Browning, a retired officer of the Massachusetts reformatory, in addition to the retirement pension received by him under existing law, an annuity of two hundred dollars, during his life, as compensation for injuries received by him in the discharge of his duties and since resulting in substantially total blindness.

Approved May 2, 1921.

Chap. 39

In favor of
Amande
Robare.

RESOLVE IN FAVOR OF AMANDE ROBARE OF FALL RIVER.

Resolved, That there be allowed and paid from the treasury of the commonwealth to Amande Robare the sum of sixty dollars as reimbursement for the burial in December, nineteen hundred and nineteen, of Mitchell Robare, a veteran of the civil war. The payment authorized by this resolve shall be made from item number one hundred and forty-nine of the general appropriation act.

Approved May 3, 1921.

Chap. 40

Continuance of
investigation as
to advisability
of standardizing
municipal regu-
lations relative
to plumbing
and drainage.

RESOLVE PROVIDING FOR A CONTINUANCE OF THE INVESTIGATION AS TO THE ADVISABILITY OF STANDARDIZING MUNICIPAL REGULATIONS RELATIVE TO PLUMBING AND DRAINAGE.

Resolved, That the department of public health be authorized to continue the investigation, provided for by chapter nine of the resolves of nineteen hundred and twenty, relative to the advisability of revising and codifying the rules, regulations and ordinances of the various cities and towns of the commonwealth concerning plumbing, house drainage and like subjects. Report thereon shall be made to the general court not later than January tenth, nineteen hundred and twenty-two.

Approved May 3, 1921.

RESOLVE PROVIDING FOR THE DREDGING OF ACUSHNET RIVER BETWEEN THE CITY OF NEW BEDFORD AND THE TOWN OF ACUSHNET. *Chap. 41*

Resolved, That for the purpose of removing the nuisance caused by mud and filth in the Acushnet river, the division of waterways and public lands of the department of public works is hereby authorized and directed to make surveys and estimates, and may, after an appropriation has been made for the purpose, contract for the work to be done to an amount not exceeding seventy-five thousand dollars. The said division shall furnish such engineering, clerical and other service, within its own organization, as may be necessary. All other expenses for work done by contract or otherwise shall, upon completion, be assessed upon the city of New Bedford as a part of the state tax. This resolve shall take effect upon its acceptance by the city council of the city of New Bedford, subject to the provisions of its charter.

Dredging of Acushnet river between city of New Bedford and town of Acushnet.

Assessments upon city of New Bedford.

To be submitted to New Bedford city council, etc.

Approved May 7, 1921.

RESOLVE RELATIVE TO THE INVESTIGATION BY THE DEPARTMENT OF PUBLIC HEALTH AND THE METROPOLITAN DISTRICT COMMISSION RELATIVE TO WATER SUPPLY NEEDS AND RESOURCES AND TO THE USE OF GREAT PONDS. *Chap. 42*

Resolved, That the time within which the department of public health and the metropolitan district commission shall present to the general court the report required by chapter forty-nine of the resolves of nineteen hundred and nineteen, relative to the water supply needs and resources of the commonwealth and to the use of great ponds, is hereby extended to the second Wednesday in January in the year nineteen hundred and twenty-two, and shall include therein a report of the availability, as sources of water supply, of water obtained through systems of filtration. In making said report a system of filtering the waters of the Merrimack river and other streams, as well as the employment of artesian wells, shall be considered as among the available sources of water supply to be reported upon.

Investigation relative to water supply needs and resources and to use of great ponds.

Approved May 9, 1921.

Chap. 43 RESOLVE PROVIDING FOR AN INVESTIGATION BY A SPECIAL COMMISSIONER RELATIVE TO ESTABLISHING AND PROCURING QUARTERS FOR DEFECTIVE DELINQUENTS.

Investigation relative to establishing and procuring quarters for defective delinquents.

Resolved, That the commissioner of public welfare, the commissioner of mental diseases and the commissioner of correction are hereby constituted a commission to investigate the subject of providing suitable and adequate quarters for defective delinquents, and particularly the subject matter of the resolve printed as house document number six hundred and forty-two of the current year. The commission shall report its recommendations to the next annual session of the general court not later than the second Saturday in January.

Approved May 9, 1921.

Chap. 44 RESOLVE PROVIDING FOR AN INVESTIGATION AND SURVEY BY THE DEPARTMENT OF PUBLIC WORKS OF A PROPOSED HIGHWAY IN THE CITY OF REVERE.

Investigation and survey of a proposed highway in city of Revere.

Resolved, That the department of public works is hereby directed to investigate the expediency of connecting the state road running from Bennington street in East Boston and ending at Beachmont, in Revere, with the North Shore traffic road, so-called, in said Revere, to make a survey of such connection, with an estimate of the cost of constructing the same, and to report the results of its investigation to the next annual session of the general court not later than the second Saturday in January.

Approved May 11, 1921.

Chap. 45 RESOLVE PROVIDING FOR THE ESTABLISHMENT IN THE STATE HOUSE OF SUITABLE MEMORIALS IN RECOGNITION OF THE SERVICES OF CERTAIN CHAPLAINS IN THE AMERICAN EXPEDITIONARY FORCES DURING THE WORLD WAR.

Establishment in state house of memorials to certain chaplains of world war.

Resolved, That a commission, consisting of two members of the house of representatives, to be designated by the speaker, two members of the senate, to be designated by the president, and two persons to be appointed by the governor, shall provide for the establishment within the state house, with the approval of the art commission, of suitable memorials to preserve for the future the commonwealth's regard for the heroic and humane services of the late Reverend Father John B. DeValles and Reverend Walton S. Danker, chaplains in the twenty-sixth division, of the late Reverend William F. Davitt, chaplain of the one hundred and twenty-fifth

infantry of the thirty-second division, of the late Reverend Simon A. O'Rourke, chaplain lieutenant, United States navy, and of any other chaplains resident in Massachusetts who may have lost their lives from military or naval service in the world war. The members of the commission shall serve without pay, but there may be expended such sum, not exceeding two thousand dollars, as may hereafter be appropriated, to cover the expense of the preparation and placing of said memorials in the state house.

Approved May 13, 1921.

RESOLVE PROVIDING FOR A COMMISSION TO CONSIDER
FURTHER AN INTERNATIONAL EXPOSITION IN OR NEAR
BOSTON. Chap. 46

Resolved, That an unpaid commission of five persons be appointed by the governor, with the advice and consent of the council, for the purpose of further considering the advisability of holding an international exposition in or near Boston at some time before the year nineteen hundred and twenty-five, in celebration of the three hundredth anniversary of the landing of the Pilgrims. The commission shall not be entitled to receive any appropriation from the general revenues or funds of the commonwealth, but may expend for the purposes of their investigation such sums as may be raised by private subscriptions or otherwise.

Commission to consider further an international exposition in or near Boston.

Approved May 20, 1921.

RESOLVE AUTHORIZING THE REIMBURSEMENT OF CHARLES
F. AVERY FOR CERTAIN TAXES PAID UNDER A MISTAKE
OF FACT. Chap. 47

Resolved, That the commissioner of corporations and taxation may, after hearing all parties in interest, certify to the state treasurer that Charles F. Avery of Newton ought to be reimbursed in the sum of twenty-two hundred seventy-three dollars and thirty-one cents, the same being a portion of an income tax assessed for the year nineteen hundred and seventeen, and paid by the said Avery under a mistake of fact, whereupon said sum shall be allowed and paid by the state treasurer to the said Charles F. Avery from such appropriation as may hereafter be made.

Reimbursement of Charles F. Avery for certain taxes paid under mistake of fact.

Approved May 24, 1921.

Chap. 48 RESOLVE AUTHORIZING THE REIMBURSEMENT OF ELLA M. FOYE FOR CERTAIN TAXES PAID UNDER A MISTAKE OF FACT.

Reimbursement of Ella M. Foye for certain taxes paid under mistake of fact.

Resolved, That the commissioner of corporations and taxation may, after hearing all parties in interest, certify to the state treasurer that Ella M. Foye of Worcester ought to be reimbursed in the sum of not more than fifty dollars, the same being a portion of an income tax assessed for the year nineteen hundred and seventeen, and paid by the said Ella M. Foye under a mistake of fact, whereupon the sum so certified shall be allowed and paid by the state treasurer to the said Ella M. Foye from such appropriation as may hereafter be made.

Approved May 24, 1921.

Chap. 49 RESOLVE AUTHORIZING THE REIMBURSEMENT OF THOMAS H. RUSSELL FOR CERTAIN TAXES ILLEGALLY EXACTED.

Reimbursement of Thomas H. Russell for certain taxes illegally exacted.

Resolved, That the commissioner of corporations and taxation may, after hearing all parties in interest, certify to the state treasurer that Thomas H. Russell of Boston, trustee under a written declaration of trust for the benefit of Alice N. Norris, ought to be reimbursed in the sum of fifteen hundred dollars, the same being the amount of legacy and succession taxes illegally exacted from him, whereupon the said sum shall be allowed and paid by the state treasurer to the said Thomas H. Russell in his capacity as said trustee, from such appropriation as may hereafter be made.

Approved May 25, 1921.

Chap. 50 RESOLVE PROVIDING FOR AN INVESTIGATION RELATIVE TO CERTAIN MATTERS OF INSURANCE.

Investigation relative to certain matters of insurance.

Resolved, That an unpaid commission is hereby established to consist of the commissioner of insurance and two other persons to be appointed by the governor, with the advice and consent of the council, to investigate the laws relative to the investments of insurance companies; the expediency and necessity of establishing a minimum standard of net valuation on life insurance policies, and especially the subject matter of current house document number three hundred and fifty-three; the expediency and necessity of further legislation relative to the insuring of automobiles, especially the subject matter of current house document number one hundred and thirty-eight; the expediency and necessity of requiring the owners of motor vehicles to carry liability

insurance, especially the subject matter of current house documents number ten hundred and thirty-two and number fifteen hundred and sixty-seven; and the expediency and necessity of further legislation relating to mutual insurance companies, especially the subject matter of current house document number seven hundred and twenty-five. The commission may employ clerical and other assistance and incur expenses not to exceed twenty-five hundred dollars, and shall report its findings and recommendations to the next annual session of the general court on or before the second Wednesday in January, with drafts of such new legislation as it may deem expedient.

Approved May 26, 1921.

RESOLVE PROVIDING FOR AN INQUIRY BY THE DEPARTMENT OF PUBLIC UTILITIES INTO THE CAPITALIZATION OF GAS AND ELECTRIC COMPANIES. Chap. 51

Resolved, That the department of public utilities be directed to inquire into the subject of the capitalization of gas and electric companies, to consider whether any changes in the existing laws relating thereto are necessary or expedient, and to report thereon to the next annual session of the general court not later than the second Wednesday of January, with drafts of such proposed legislation as may be necessary to accomplish its recommendations.

Inquiry into capitalization of gas and electric companies.

Approved May 27, 1921.

RESOLVE CONFIRMING THE ACTS OF AUSTIN H. FITTZ AS A NOTARY PUBLIC. Chap. 52

Resolved, That the acts of Austin H. Fittz of Natick, as a notary public, between July twenty-sixth, nineteen hundred and twenty, and May seventh, nineteen hundred and twenty-one, both dates inclusive, are hereby confirmed and made valid to the same extent as if during that time he had been qualified to discharge the duties of said office.

Acts of Austin H. Fittz as a notary public confirmed.

Approved May 27, 1921.

RESOLVE ESTABLISHING A SPECIAL COMMISSION TO INVESTIGATE PROBLEMS RELATING TO THE ORGANIZATION, WORK AND EXPENDITURES OF THE EXISTING ADMINISTRATIVE DEPARTMENTS OF THE COMMONWEALTH. Chap. 53

Resolved, That a special commission is hereby established, to consist of three members of the senate to be appointed by the president, five members of the house of representatives

Commission to investigate problems relating to organization,

work and expenditures of existing administrative departments of commonwealth.

to be appointed by the speaker and five persons not members of the general court to be appointed by the governor with the advice and consent of the council. The commission shall choose its chairman, and shall be known as the Commission on State Administration and Expenditures. It shall be the duty of the commission to investigate and consider the administrative organization of the state government, the functions and duties of the several departments, and the possibility of promoting greater efficiency and economy, including:

Scope of investigation.

(1) Whether the provisions of Article LXVI of the amendments to the constitution and of the laws for the reorganization of the executive and administrative work of the commonwealth into not more than twenty departments have been carried out in letter and spirit, and what, if any, administrative changes should be made to promote efficiency and to prevent waste and duplication of effort and unnecessary expense.

(2) The method of administering the provisions of the constitution and the laws with reference to the budget, and whether any changes are advisable in method, procedure or law governing the appropriation and expenditure of public money.

(3) Whether, having in view the entire programme of the state's undertakings, the needs of the state, and the cost and relative importance of each undertaking, there are any which it is advisable that the state should curtail or wholly give up.

(4) Concerning departmental and institutional business organization and management, and the method of handling and auditing departmental, institutional and other accounts of the commonwealth.

(5) Ways and means whereby comprehensive plans may be made in advance concerning the needs of the several departments for a series of years, especially with respect to construction of new buildings, highways, harbor improvements, development of state forests, and other public works.

(6) Whether any changes are desirable in the number of positions in the services of the several departments or in the amounts and method of classification and standardization of salaries, including those established by law, having a view to economy on the one hand and to the value of the services performed and to efficiency of management and operation on the other.

(7) What changes in the method of purchasing supplies, disposing of the products of the state's institutions and disposing of property not in use and fit for salvage are desirable, with a view to the greatest economy.

(8) The advisability of taking further steps toward placing any of the activities of the state on a self-supporting basis, through the charging of fees or otherwise.

The commission shall report its findings, with such recommendations and drafts for such legislation as it may deem expedient, to the next annual session of the general court by filing the same with the clerk of the house of representatives on or before the first Wednesday in January, nineteen hundred and twenty-two. Upon the filing of such report, the existence of the commission shall terminate. The commission shall be furnished with rooms in the state house. The commission may give public hearings, and may require by summonses the attendance and testimony of witnesses and the production of books and papers relating to any matter under investigation, and may administer oaths to witnesses testifying before it. Such summonses shall be issued and such oaths administered by the chairman of the commission. A witness who gives false testimony or who fails to appear when duly summoned shall be subject to the same penalties to which a witness before a court is subject when so offending.

The commission may expend such sums for expenses, travel, clerical and other assistance as may be approved by the governor and council, not exceeding such sum as the general court may appropriate; provided, that the members of the commission shall not receive compensation except for expenses actually incurred in the discharge of their duties. The commission may avail itself of the services of the department of the supervisor of administration.

Approved May 27, 1921.

To report findings, etc.

Termination of existence of commission.

May give hearings, summon witnesses, etc.

Expenditures.

Proviso.

RESOLVE RELATIVE TO PRINTING THE GENERAL LAWS.

Chap. 54

Resolved, That the committee on printing the General Laws, appointed under chapter eighty-six of the resolves of nineteen hundred and twenty, is hereby authorized to correct any obvious errors in type-setting, capitalization, spelling, punctuation, cross references, or names of state officers as changed by chapter three hundred and fifty of the General Acts of nineteen hundred and nineteen, and any other

Committee on printing the General Laws may correct certain obvious errors, etc.

Proviso. obvious errors, the correction of which does not require the exercise of legislative discretion; provided, that all changes made pursuant to this resolve shall be reported and printed as a legislative document. *Approved May 27, 1921.*

Chap. 55 RESOLVE RATIFYING CERTAIN CORRECTIONS IN THE GENERAL LAWS.

Certain corrections in the General Laws ratified.

Resolved, That the corrections made in the proofs of the General Laws pursuant to chapter fifty-four of the resolves of the current year, as set forth in the report of the joint special committee on printing the General Laws, House No. 1688, are hereby ratified and confirmed and made a part of the General Laws. *Approved May 28, 1921.*

Chap. 56 RESOLVE TO PROVIDE FOR A REVISION OF THE LAWS RELATING TO BANKS AND BANKING.

Commission to examine and revise laws relating to banks and banking.

Resolved, That a special unpaid commission be established, to consist of two senators to be designated by the president of the senate, and three representatives to be designated by the speaker of the house of representatives, the commissioner of banks, and three other persons to be appointed by the governor, for the purpose of examining and revising the laws relating to banks and banking. The commission may expend for clerical and other assistance such sums as may be approved by the governor and council, and shall report with its recommendations, and drafts of legislation embodying the same, to the general court not later than the second Wednesday in January in the year nineteen hundred and twenty-two. *Approved May 28, 1921.*

PROPOSALS

FOR

LEGISLATIVE AMENDMENTS TO THE CONSTITUTION

The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND TWENTY-ONE.

PROPOSAL FOR A LEGISLATIVE AMENDMENT TO THE CONSTITUTION RELATIVE TO ROLL CALLS IN THE GENERAL COURT ON THE ADOPTION OF PREAMBLES OF EMERGENCY LAWS.

A joint session of the Senate and House of Representatives hereby declares it to be expedient to alter the Constitution by the adoption of the following Article of Amendment to the end that it may become a part of the Constitution, if similarly agreed to in a joint session of the next General Court and approved by the people at the State election next following:

Proposed amendment to the constitution relative to roll calls in the general court on the adoption of preambles of emergency laws.

ARTICLE OF AMENDMENT.

Article XLVIII of the Amendments to the Constitution is hereby amended by striking out, in that part entitled "II. Emergency Measures", under the heading "The Referendum", the words "A separate vote shall be taken on the preamble by call of the yeas and nays, which shall be recorded, and unless the preamble is adopted by two-thirds of the members of each House voting thereon, the law shall not be an emergency law; but" and substituting the following: — A separate vote, which shall be recorded, shall be taken on the preamble, and unless the preamble is adopted by two-thirds of the members of each House voting thereon, the law shall not be an emergency law. Upon the request of two members of the Senate or of five members of the House of Representatives, the vote on the preamble in such branch shall be taken by call of the yeas and nays. But

MAY 27, 1920.

Amendment
agreed to and
referred to the
next general
court.

The foregoing Legislative Amendment is agreed to in joint session of the two houses, the said Amendment having received the affirmative votes of a majority of all the members elected; and it is referred to the next General Court in accordance with a provision of the Constitution.

EDWIN T. McKNIGHT,
President of the Joint Session.

HENRY D. COOLIDGE,
Clerk of the Joint Session.

MAY 24, 1921.

Certified to
the secretary
of the com-
monwealth
for submis-
sion to the
people at the
next state
election.

The foregoing Legislative Amendment is agreed to in joint session of the two houses, the said Amendment having received the affirmative votes of a majority of all the members elected; and this fact is hereby certified to the Secretary of the Commonwealth, in accordance with a provision of the Constitution.

HENRY D. COOLIDGE,
Clerk of the Joint Session.

The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND TWENTY-ONE.

PROPOSAL FOR A LEGISLATIVE AMENDMENT TO THE CONSTITUTION RELATIVE TO THE ESTABLISHMENT OF MUNICIPAL OR CITY GOVERNMENTS IN TOWNS.

A joint session of the Senate and House of Representatives hereby declares it to be expedient to alter the Constitution by the adoption of the following Article of Amendment, to the end that it may become a part of the Constitution, if similarly agreed to in a joint session of the next General Court and approved by the people at the state election next following:

Proposed amendment to the constitution relative to the establishment of municipal or city governments in towns.

ARTICLE OF AMENDMENT.

Article II of the Articles of Amendment to the Constitution of the Commonwealth is hereby amended by striking out the word "twelve" in the second sentence, and substituting the word "four", so that the said Article will read as follows:

ARTICLE II. The general court shall have full power and authority to erect and constitute municipal or city governments, in any corporate town or towns in this commonwealth, and to grant to the inhabitants thereof such powers, privileges, and immunities, not repugnant to the constitution, as the general court shall deem necessary or expedient for the regulation and government thereof, and to prescribe the manner of calling and holding public meetings of the inhabitants, in wards or otherwise, for the election of officers under the constitution, and the manner of returning the votes given at such meetings. Provided, that no such government shall be erected or constituted in any town not containing four thousand inhabitants, nor unless it be with the consent, and on the application of a majority of the inhabitants of such town, present and voting thereon, pursuant to a vote at a meeting duly warned and holden for that purpose. And

provided, also, that all by-laws, made by such municipal or city government, shall be subject, at all times, to be annulled by the general court.

IN JOINT SESSION, May 24, 1921.

Amendment
agreed to and
referred to the
next general
court.

The foregoing legislative amendment of the Constitution is agreed to in joint session of the two houses of the General Court, the said amendment having received the affirmative votes of a majority of all the members elected; and it is referred to the next General Court in accordance with a provision of the Constitution.

HENRY D. COOLIDGE,
Clerk of the Joint Session.

Action by the General Court on the above proposal taken at the extra session in December, 1920, was declared invalid by the Justices of the Supreme Judicial Court. (See page 689.)

The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND TWENTY-ONE.

PROPOSAL FOR A LEGISLATIVE AMENDMENT TO THE CONSTITUTION RELATIVE TO THE QUALIFICATIONS OF VOTERS FOR CERTAIN STATE OFFICERS.

A joint session of the Senate and House of Representatives hereby declares it to be expedient to alter the Constitution by the adoption of the following Article of Amendment, to the end that it may become a part of the Constitution, if similarly agreed to in joint session of the next General Court and approved by the people at the state election next following:

Proposed amendment to the constitution relative to the qualifications of voters for certain state officers.

ARTICLE OF AMENDMENT.

Article III of the Amendments to the Constitution, as amended, is hereby further amended by striking out, in the first line, the word "male".

IN JOINT SESSION, May 24, 1921.

The foregoing Legislative Amendment of the Constitution is agreed to in joint session of the two houses of the General Court, the said Amendment having received the affirmative votes of a majority of all the members elected; and it is referred to the next General Court in accordance with a provision of the Constitution.

Amendment agreed to and referred to the next general court.

HENRY D. COOLIDGE,
Clerk of the Joint Session.

In view of the opinion rendered by the Justices of the Supreme Judicial Court, and received in the Senate March 8, 1921, on the proposal for a legislative amendment to the Constitution as printed on page 685, the action taken by the General Court on the above proposal at the extra session in December, 1920, is deemed invalid. (See page 689.)

The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND TWENTY-ONE.

PROPOSAL FOR A LEGISLATIVE AMENDMENT TO THE CONSTITUTION TO ENABLE WOMEN TO HOLD ANY STATE, COUNTY OR MUNICIPAL OFFICE.

Proposed amendment to the constitution to enable women to hold any state, county or municipal office.

A joint session of the Senate and House of Representatives hereby declares it to be expedient to alter the Constitution by the adoption of the following Article of Amendment, to the end that it may become a part of the Constitution, if similarly agreed to in a joint session of the next General Court and approved by the people at the state election next following:—

ARTICLE OF AMENDMENT.

SECTION 1. No person shall be deemed to be ineligible to hold state, county or municipal office by reason of sex.

SECTION 2. Article IV of the articles of amendment of the constitution of the commonwealth, as amended by Article LVII of said amendments, is hereby further amended by striking out the words "Change of name shall render the commission void, but shall not prevent reappointment under the new name", and inserting in place thereof the following words:— Upon the change of name of any woman, she shall re-register under her new name and shall pay such fee therefor as shall be established by the general court.

IN JOINT SESSION, May 24, 1921.

Amendment agreed to and referred to the next general court.

The foregoing Legislative Amendment of the Constitution is agreed to in joint session of the two houses of the General Court, the said Amendment having received the affirmative votes of a majority of all the members elected; and it is referred to the next General Court in accordance with a provision of the Constitution.

HENRY D. COOLIDGE,
Clerk of the Joint Session.

The Commonwealth of Massachusetts

OFFICE OF THE SECRETARY,
BOSTON, May 25, 1921.

The General Court at the extra session in December, nineteen hundred and twenty, acting under authority of sections 2 and 4 of subdivision IV of Article XLVIII of the Amendments to the Constitution of the Commonwealth, in joint session agreed to a proposal for a legislative amendment to the Constitution relative to the establishment of municipal or city governments in towns.

Certain proposed amendments to the constitution agreed to at the extra session in December, 1920, declared invalid by the Supreme Judicial Court.

Whereupon, The Honorable Senate of the current year under date of February 25,

“Ordered, That the Senate require the opinions of the justices of the Supreme Judicial Court upon the following important questions of law: —

(1) Was the action of the General Court, agreeing to said proposed amendment at the extra session in December, 1920, and referring it for further action to the next General Court, valid, notwithstanding that such action was taken after the second Wednesday of June?

(2) If the present General Court likewise adopts said proposed amendment, will it be competent, without further action by any subsequent General Court, to submit the same to the people as provided in section 5 of said subdivision IV?

(3) If such action is taken by the present General Court, and the same receives the affirmative votes of a majority of the voters voting thereon at the next state election, will said proposed amendment become a part of the Constitution of the Commonwealth?”

The Justices of the Supreme Judicial Court, having considered the questions set forth in said Order, rendered an opinion “that the action of the General Court in agreeing to the proposed amendment at the extra session in December, 1920, was without validity.”

A negative answer was made to each of the questions contained in the Order.

In view of the opinion of the said justices above referred to, the action of the General Court upon a proposal for a legislative amendment to the Constitution relative to the qualifications of voters for certain state officers, as printed on page 687, agreed to in joint session at the extra session of the General Court in December, 1920, is deemed invalid.

FREDERIC W. COOK,
Secretary of the Commonwealth.

REFERENDUM PETITIONS

FILED IN THE OFFICE OF THE

SECRETARY OF THE COMMONWEALTH

UNDER

ARTICLE XLVIII OF THE AMENDMENTS
TO THE CONSTITUTION

The Commonwealth of Massachusetts

OFFICE OF THE SECRETARY,
BOSTON, August 8, 1921.

Pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, "The Referendum. III. Referendum Petitions. Section 3" (Article 97 of the Re-arrangement of the Constitution), a petition was filed in this office May 12, 1921, by the required number of qualified voters, asking for a referendum on Chapter 368, Acts of 1921, entitled, "An Act providing for suits by and against certain voluntary associations", approved May 9, 1921, and requesting that the operation of said law be suspended.

Petition filed
requesting
referendum on
chapter 368,
Acts of 1921.

Said petition was completed by the filing in this office August 6, 1921, of a sufficient number (15,552) of subsequent signatures of qualified voters of the Commonwealth to suspend its operation. Said law will be submitted to the people at the state election November 7, 1922, for their approval or disapproval.

Law sus-
pended.

FREDERIC W. COOK,
Secretary of the Commonwealth.

The Commonwealth of Massachusetts

OFFICE OF THE SECRETARY,
BOSTON, August 24, 1921.

Petition filed
requesting
referendum on
chapter 438,
Acts of 1921.

Pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, "The Referendum. III. Referendum Petitions. Section 3" (Article 97 of the Rearrangement of the Constitution), a petition was filed in this office June 8, 1921, by the required number of qualified voters, asking for a referendum on Chapter 438, Acts of 1921, entitled, "An Act relative to the examination and licensing of motion picture films to be publicly exhibited and displayed in this commonwealth", approved May 25, 1921, and requesting that the operation of said law be suspended.

Law sus-
pended.

Said petition was completed by the filing in this office August 23, 1921, of a sufficient number (25,809) of subsequent signatures of qualified voters of the Commonwealth to suspend its operation. Said law will be submitted to the people at the state election November 7, 1922, for their approval or disapproval.

FREDERIC W. COOK,
Secretary of the Commonwealth.

The Commonwealth of Massachusetts

OFFICE OF THE SECRETARY,
BOSTON, August 24, 1921.

Pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, "The Referendum. III. Referendum Petitions. Section 3" (Article 97 of the Rearrangement of the Constitution), a petition was filed in this office June 23, 1921, by the required number of qualified voters, asking for a referendum on Chapter 442, Acts of 1921, entitled, "An Act relative to the salary of the commissioner of education", approved May 25, 1921, and requesting that the operation of said law be suspended.

Petition filed
requesting
referendum on
chapter 442,
Acts of 1921.

The completed number of subsequent signatures of qualified voters were not filed within the ninety days required by the Constitution, terminating August 23, 1921, and the operation of said law is accordingly not suspended.

Law not sus-
pended.

FREDERIC W. COOK,
Secretary of the Commonwealth.

The Commonwealth of Massachusetts

OFFICE OF THE SECRETARY,
BOSTON, August 24, 1921.

Petition filed
requesting
referendum on
chapter 443,
Acts of 1921.

Pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, "The Referendum. III. Referendum Petitions. Section 3" (Article 97 of the Rearrangement of the Constitution), a petition was filed in this office June 23, 1921, by the required number of qualified voters, asking for a referendum on Chapter 443, Acts of 1921, entitled, "An Act relative to the salary of the commissioner of mental diseases", approved May 25, 1921, and requesting that the operation of said law be suspended.

Law not sus-
pended.

The completed number of subsequent signatures of qualified voters were not filed within the ninety days required by the Constitution, terminating August 23, 1921, and the operation of said law is accordingly not suspended.

FREDERIC W. COOK,
Secretary of the Commonwealth.

NUMBER OF ACTS AND RESOLVES APPROVED, APPROVAL WITHHELD, AND LISTS OF ACTS VETOED BY THE GOVERNOR UNDER AUTHORITY OF THE CONSTITUTION, AND PROPOSALS FOR LEGISLATIVE AMENDMENTS TO THE CONSTITUTION.

The general court, during its first annual session of 1921, passed 499 Acts and 56 Resolves which received executive approval and 3 Acts from which executive approval was withheld but have become law by virtue of chapter 1, section 1, Article 2 of the Constitution of the Commonwealth.

Three (3) Acts entitled, respectively, "An Act to authorize counties to pay their employees who served in the world war the difference between their military and their county compensation", (Chapter 38); "An Act providing for biennial municipal elections in the city of Cambridge", (Chapter 199) and "An Act authorizing cities and towns to provide quarters for camps of the United Spanish War Veterans", (Chapter 227) were passed, but failed to receive executive approval; as, however, they were not returned, with objections thereto, within five days after they had been received in the executive department, the general court not having been prorogued in the meantime, said acts have the force of laws, under the provisions of the Constitution governing such cases, and have been so certified.

Six (6) Acts entitled, respectively, "An Act relative to the sale of ice at retail"; "An Act relative to the construction, alteration and maintenance of buildings in the city of Boston"; "An Act relative to the salary of the commissioner of conservation"; "An Act relative to the compensation of the members of the board of parole"; "An Act relative to the salary of the director of the division of animal industry in the department of conservation" and "An Act establishing the salaries of the present deputies in the office of the treasurer and receiver-general", were passed and laid before the governor for his approval; were returned by him with his objections thereto, to the branch in which they respectively

originated; were reconsidered, and the vote being taken on their passage, the objections of the governor thereto notwithstanding, they were rejected, and said acts thereby became void.

One (1) Act entitled "An Act providing retirement allowances based on annuity and pension contributions for employees of the city of Boston or of the county of Suffolk", was passed and laid before the governor for his approval; was returned by him with recommendations that amendments specified by him be made therein in accordance with Article LVI of the amendments to the Constitution; after due consideration resulting in a committee of conference being appointed between the branches said committee reported that they were unable to agree; the report was accepted by the Senate and House of Representatives and the bill thereby became void.

Two (2) Acts entitled, respectively, "An Act to enable the First Church in Boston to convey its property to trustees", and "An Act to authorize the Worcester Tuberculosis Relief Association to transfer its property to the Worcester Society for District Nursing" were passed and laid before the governor for his approval; were returned by him with recommendations that amendments specified by him be made therein in accordance with Article LVI of the amendments to the Constitution; after due consideration in the House of Representatives the recommendations were adopted but when the question of concurring in the adoption of the amendments recommended by the governor were considered in the Senate, the bills were referred to the next annual session.

The general court at its annual session of 1921, passed a "Proposal for a legislative amendment to the constitution relative to roll-calls in the general court on the adoption of preambles of emergency laws" which proposal, having been agreed to in joint session of the general court held May 27, 1920, has been certified by the clerk of the joint session to the secretary of the commonwealth, who will submit the amendment to the people at the next state election to be held November 7, 1922.

The general court of 1921 also passed a "Proposal for a legislative amendment to the constitution relative to the establishment of municipal or city governments in towns"; a "Proposal for a legislative amendment to the constitution relative to the qualifications of voters for certain state officers"; and a "Proposal for a legislative amendment to

the constitution to enable women to hold any state, county or municipal office" which proposals are filed in the office of the secretary of the commonwealth, for action by the next general court, which convenes in 1923. (See note, page 689.)

The general court was prorogued on Saturday, May 28, at seven minutes after three o'clock A.M., the session having occupied 144 days.

LAW APPROVED BY THE PEOPLE, NOVEMBER 2, 1920

UNDER

ARTICLE XLVIII OF THE AMENDMENTS TO THE
CONSTITUTION

The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND TWENTY.

AN ACT TO REGULATE THE MANUFACTURE AND SALE OF BEER, CIDER AND LIGHT WINES. Chap. 630

Be it Enacted by the People, and by their Authority, as follows:

SECTION 1. The words "certain non-intoxicating beverages" as used in this act shall be construed to mean all beverages containing not less than one half of one per cent and not more than two and three fourths per cent of alcohol by weight at sixty degrees Fahrenheit, and such beverages shall be deemed not to be intoxicating liquor.

Manufacture and sale of beer, cider and light wines regulated. Words "certain non-intoxicating beverages," defined.

SECTION 2. All provisions of existing statutes relating to the appointment, tenure of office, powers and duties of license commissioners and boards shall remain in full force and effect so far as may be necessary to carry out the purposes and provisions of this act.

Certain laws to continue in force, etc.

SECTION 3. In a city, which at its annual city election, or in a town, which at its annual town election, votes to authorize the granting of licenses for the sale of "certain non-intoxicating beverages" as hereinafter provided, licenses of the first and second classes, as mentioned in section nine, may be granted annually to applicants therefor by the licensing boards in cities and by selectmen in towns.

Granting of first and second class licenses.

Every license shall be signed by the licensing board in cities having such boards, in other cities by the mayor and city clerk, and in towns by the chairman of the selectmen and town clerks, and it shall be recorded in the office of the licensing boards in cities having such boards, and in other cities and towns, in the office of the city or town clerk, and the licensee shall pay the recording officer one dollar for recording the license. It shall name the person licensed, shall set forth the nature of the license, and the building in which the business is to be carried on, and shall continue in force until the first day of the May next ensuing, unless sooner

Licenses to be signed, recorded, etc.

Question of granting licenses to be voted upon by cities and towns.

Return of vote to state secretary, etc.

Time for filing applications for, and granting of licenses.

Number of licensed places, restrictions, etc.

In Boston.

First and second class licenses not to be exercised upon same premises, except, etc.

Licenses to be numbered, etc.

Enumeration of summer residents in towns by chief of the bureau of statistics of labor, etc.

forfeited or rendered void. The aldermen and selectmen, respectively, shall insert in the warrant for the annual city election or town meeting an article providing for a vote upon the question "Shall licenses be granted for the sale of certain non-intoxicating beverages in this city or town?" The clerk of each city or town shall within thirty days after such vote is taken, transmit a true statement thereof to the secretary of the commonwealth, and shall annually, in November, make a return to said secretary, showing the number of licenses of each class issued, the amount received for the same by classes and the number revoked, if any.

SECTION 4. The licensing board of a city or town which has voted to authorize the granting of licenses for the sale of certain non-intoxicating beverages may, during March and April, receive applications for such licenses, publish, investigate and act thereon, and may, in April, grant such licenses to take effect on the first day of May following.

SECTION 5. In cities and towns which vote to authorize the granting of licenses for the sale of certain non-intoxicating beverages, the number of places licensed for the sale of such beverages shall not exceed one for each one thousand of the population as ascertained by the last preceding national or state census, but one such place may be licensed in any town having a population of less than one thousand. In Boston, one such place may be licensed for each five hundred of the population, but in no event shall the total number of licensed places therein exceed one thousand. Nowhere in the commonwealth shall a first class license be granted to be exercised upon the same premises with a license of the second class, except that a licensed innholder, who has a license of the first class may likewise be granted a license of the second class for the purpose of supplying said non-intoxicating beverages to guests who have resorted to his inn for food or lodging. No more than one license shall be granted by any one vote of the licensing board. Such licenses shall be numbered in regular order as granted, and any license granted contrary to or in excess of the provisions of this section shall be void; but in a town voting as aforesaid at its last annual town meeting, which has less than five thousand permanent residents according to the last preceding state or national census but has an increased resident population during the summer months, the selectmen may, on or before the fifteenth day of May in any year, apply to the chief of the bureau of statistics of labor to have an enumera-

tion made of the temporary or summer residents of such town. Said chief shall thereupon make such enumerations, between the twenty-third and the twenty-eighth day of June next following under such rules as he shall establish. A person who has not been a resident of such town for at least three days preceding the enumeration shall not be regarded as a temporary or summer resident thereof. Said chief may employ, for such enumeration, such persons as may be necessary, who shall in all cases be residents of the town if suitable and competent persons can be found; otherwise, non-residents may be employed. The chief shall report the total number of such temporary or summer residents to the selectmen of the town on or before said twenty-eighth day of June. The expenses incurred in making such special enumeration shall be paid by the commonwealth. The treasurer and receiver-general shall thereupon issue his warrant, as provided in section thirty-four of chapter twelve, requiring the assessors of such town to assess a tax to the amount of the expense incurred in making this special enumeration, and such amount shall be collected and paid over to the treasurer and receiver-general in the same manner as other state taxes. The selectmen may, in April, receive applications for such licenses and investigate and publish the same; and may grant one such license for each five hundred of such temporary resident population, not including the permanent inhabitants of such town, as ascertained by said special enumeration, to take effect on the first day of July and to expire on the first day of October next following. And in the towns of Hull and Nahant, it is further provided that when either of said towns has voted to authorize the granting of licenses for the sale of certain non-intoxicating beverages at its last annual town meeting, and such special enumeration has been made in the calendar year last preceding last annual town meeting, the selectmen may in April receive applications for such licenses and investigate and publish the same, and may grant one such license for each five hundred of such temporary resident population, not including the permanent inhabitants of the town ascertained by said special enumeration taken in said last preceding calendar year, to take effect on the fifteenth day of May and to expire on the first day of October next following. A selectman, a member of a licensing board or census enumerator who violates any provision of this section shall be punished by a fine of five hundred dollars.

Assessment of towns for expense of enumeration.

Granting of licenses in towns having increased summer population.

In towns of Hull and Nahant.

Penalty.

Notice of applications for licenses to be published, etc.

SECTION 6. Notice of all applications for licenses shall, at the expense of the applicant, to be paid in advance, be published in the following manner: — In the city of Boston by the licensing board in two or more daily newspapers published therein; and in the Charlestown, East Boston, South Boston, Dorchester, Roxbury and Brighton districts of said city, respectively, in at least one weekly newspaper published in the district in which the premises for which the license is asked are situated, if any is there published; in other cities having licensing boards, by said boards, and in other cities and towns, by the mayor and aldermen, and the selectmen, respectively, in such newspapers, printed therein and published at least once a week, as they may designate; or if no such newspaper is printed therein, then by posting such notice in a conspicuous place on the premises described in the application for the license, and in two or more places in which public notices are usually posted in the neighborhood. Such notice shall set forth the name of the applicant in full, the class of the license applied for, a particular description of the premises on which the license is to be exercised, designating the building or part of a building to be used, and, if practicable, the street and number, and shall be published at least ten days before the licensing board acts thereon. If a license is granted without such previous publication, any citizen of the city or town within which such license is issued may make complaint to the police, district or municipal court, or the trial justice having jurisdiction therein; and if, after due hearing, it appears that such notice was not given, the court or justice shall revoke the license and give notice thereof to the board which issued it.

Licenses granted without publication to be revoked, etc.

Licensing board may refuse to issue a license, etc.

SECTION 7. The licensing board may at any time refuse to issue a license to a person whom it considers unfit to receive the same; but the provisions of this chapter shall not be so construed as to compel said licensing board to grant licenses.

Conditions of licenses.

SECTION 8. Each license shall be expressed, to be subject to the following conditions: —

Provisions as to nature of license and place of business to be strictly adhered to. Intoxicating liquor not to be sold.

First, That the provisions in regard to the nature of the license, and the building in which the business may be carried on under it, shall be strictly adhered to.

Second, That spirituous or intoxicating liquor shall not be sold, exchanged or delivered, or exposed, offered or kept for sale, exchange or delivery, upon the licensed premises.

Third, Non-intoxicating beverages shall not be sold between the hours of eleven at night and six in the morning, or on the Lord's Day or on a legal holiday or on any day on which a national, state, city or annual town election is held in the city or town in which the licensed premises are situated; but if the licensee is also licensed as an innholder, he may, between the hours of six in the morning and eleven at night, on the Lord's Day, a legal holiday, or such election day, supply such beverages to persons who have resorted to his inn for food or lodging.

Sales at certain times forbidden, etc.

Fourth, That there shall be no disorder, indecency, prostitution, lewdness or illegal gaming on the licensed premises, or any premises connected therewith by an interior communication.

Disorder, illegal gaming, etc., on licensed premises forbidden, etc.

Fifth, That the license, or a copy thereof, certified by the recording officer of the licensing board or by the clerk of the city or town by which it is issued, shall be displayed on the premises in a conspicuous position, where it can easily be read.

License or copy thereof to be displayed.

Sixth, That the license shall be subject to forfeiture, as herein provided, for breach of its conditions, and that, if the licensee is convicted of a violation of any of such conditions, his license shall thereupon become void.

License subject to forfeiture, etc.

Each license of the first class shall be subject to the further condition that the licensee shall hold a license as an innholder or common victualler.

First class licensees to be licensed innholders, etc.

Each license issued to a common victualler shall specify the room or rooms in which such non-intoxicating beverages shall be kept or sold, and the holder of such license shall not keep, sell or deliver any such beverages in any room or part of a building not so specified.

Licenses of common victualler to specify rooms for storage or sale of beverages.

SECTION 9. Licenses shall be of the following classes: —

First class, To sell malt beverages, cider and light wines containing not more than two and seventy-five one hundredths per cent of alcohol by weight at sixty degrees Fahrenheit, to be drunk on the premises.

First class license defined.

Second class, To sell, or manufacture and sell, malt beverages, cider and light wines containing not more than two and seventy-five one hundredths per cent of alcohol by weight at sixty degrees Fahrenheit, not to be drunk on the premises.

Second class license defined.

SECTION 10. The fees for licenses of either class shall be not less than two hundred and fifty dollars.

Amount of fees.

SECTION 11. If a licensee dies before the expiration of the term of his license, or if a license has been surrendered and

Issuance of licenses upon death of

licensees or
surrender or
cancellation of
licenses.

Refund of part
of license fee.

Entrances
to licensed
premises, re-
strictions
upon, etc.

Use of screens,
shutters or
other obstruc-
tions, restric-
tions upon,
etc.

cancelled, the board or authority issuing the license may issue another license of any class, and the two licenses shall count as one license; and said board or authority shall require as a license fee for said second license a part of the license fee required therefor for the whole year proportionate to the unexpired term of the license. Said board or authority may in its discretion, in cases where two licenses have been issued in the same year, give a certificate to the party to whom the first license was issued, or, in case of his death, to his administrator or executor, stating that a part of the fee paid therefor proportionate to the unexpired term of the license is to be refunded to such party or to such administrator or executor by the treasurer of the city or town from the fees thereafter received by said treasurer for licenses to sell such non-intoxicating beverages. Said treasurer shall comply with the requirements of such certificate, and shall retain one quarter of the amount so paid from any money thereafter due from him or the city to the commonwealth on account of licenses to sell such non-intoxicating beverages. If the licensee dies before the expiration of the term of his license, the city or town by which it was granted may refund to his executor or administrator a part of the license fee proportionate to the unexpired term of the license, and the proportionate part of the percentage which has been paid to the commonwealth shall be refunded to the city or town.

SECTION 12. The board which grants the license may require a licensee to close permanently all entrances to the licensed premises except those from the public street or streets upon which said premises are situated, and may so specify in the license. In such case the construction or opening of any such entrance shall of itself make the license void. A licensee holding a license of the first class shall not place or maintain or permit to be placed or maintained, in any public room used by him for the sale of such non-intoxicating beverages under the provisions of his license, any screen, blind, shutter, curtain, partition or painted, ground or stained glass window, or any other obstruction, in such a way as to interfere with a view of the business conducted in the premises, and the placing or maintaining of any of said obstructions shall of itself make the license void, except that the board, at its discretion may, upon application of a licensed innholder who also holds a license to sell such non-intoxicating beverages, permit screens, curtains, or such other obstructions as it may designate to be placed at the

windows of the dining rooms of the hotel maintained by said innholder, and said board shall have the power to revoke such privilege.

SECTION 13. No license of the first class shall be granted for the sale of such non-intoxicating beverages in any building or place on the same street as, and within four hundred feet of, any building occupied in whole or in part by a public school; but the provisions of this section shall not prevent the granting of such license to be exercised on premises fitted up and occupied as a place for selling such non-intoxicating beverages under a license and by a license of a corresponding class of the preceding year, although said premises are within four hundred feet of a building used temporarily in whole or in part for school purposes, if such use will cease permanently within one year after the granting of such license; nor shall the provisions of this section prevent the granting of such a license to be exercised in any hotel on the same street as, and having its bar more than four hundred feet from, a building occupied in whole or in part by a public school; *provided*, that there is no public bar in such hotel.

First class licenses not to be issued for exercise near public schools, etc.

Issuance of licenses to hotels near public schools.

Proviso.

SECTION 14. No license of the said classes shall be granted to be exercised in a dwelling house. A license shall be void when so granted, but the provisions of this section shall not prevent the granting of a license to be exercised in a store or shop which has no interior connection or means of communication with a dwelling or tenement of any family.

Licenses not to be issued for exercise in a dwelling house, etc.

SECTION 15. No license of the said classes shall be granted to be exercised in any room or shop having any interior connection or means of communicating with a dwelling or tenement of any family, and the opening or maintaining of any such connection or means of communication shall render the license void.

Licenses not to be issued for exercise in rooms, etc., having interior connection with dwellings, etc.

SECTION 16. A common victualler who holds a license under the provisions of this chapter shall keep the licensed premises closed between the hours of twelve at night and five in the morning.

Licensed premises of common victuallers, when to be closed.

SECTION 17. A license shall not be issued until the license fee has been paid to the treasurer of the city or town by which it is to be issued, nor until he has received a satisfactory bond, payable to him as such treasurer, in the sum of five hundred dollars, signed by the licensee and sufficient surety or sureties, who shall be jointly and severally liable, and conditioned for the payment of all costs, damages and fines which may be incurred by a violation of the provisions

Licenses not to be issued until payment of fee and receipt of bond.

Actions on
bonds.
Filing of bonds.

Sureties to
make state-
ment under
oath, etc.

of this chapter. Separate actions may be brought on such bond by any person at his own expense. Such bond, after approval, shall be filed in the office of the city or town clerk, and a certified copy thereof shall be admissible in evidence. No such bond shall be accepted or approved until each surety has made and subscribed a statement under oath that he is worth not less than one thousand dollars over and above all liabilities and indebtedness, and the statement so made shall designate sufficient property, real or personal, to cover the requirement of the bond, and shall be kept on file with the bond in connection with which said statement is made. The bond to be taken in each case may be in the following form: —

Form of bond.

Know all men by these presents that we, A. B. of _____ as principal, and C. D. and E. F. of _____ as sureties, are held and firmly bound unto the treasurer of the city or town of _____ in the sum of \$500, to which payment well and truly to be made we bind ourselves and our legal representatives.

Sealed with our hands this _____ day of _____ A.D. 191 _____. The condition of this obligation is such that whereas the above bounden A. B. has this day been licensed by License No. _____ by the mayor and aldermen (board of police or licensing board) of the city of _____ (or of the selectmen of the town of) _____ in the county of _____; now if the said A. B. shall well and truly comply with all the provisions of law, then this bond shall be void, but otherwise in force.

Executed in presence of:

Sureties on
bonds, qualifi-
cations, re-
strictions, etc.

SECTION 18. No person, except a corporation organized for the purpose of acting as surety on bonds and duly qualified to do business in this commonwealth, shall be accepted as surety upon more than ten bonds which may be given under the provisions of the preceding section. Each surety, except as aforesaid, shall make a written statement, under oath, that he is not a surety upon more than nine other bonds given under the provisions of said section, and such statement shall be kept on file with the bond.

Transfer of
licenses from
one location to
another.

SECTION 19. Licensing boards may transfer licenses from one location to another within the city or town in which such licenses are in force; but such transfer shall be granted only to the original licensee, and like notice shall be given, the same provisions shall apply, and other proceedings shall be the same as are required upon the granting of licenses, except that no new license fee shall be required.

Duties and
liability of city
and town
treasurers as to

SECTION 20. The treasurer of a city or town shall, within thirty days after the receipt of money for licenses for the sale

of certain non-intoxicating beverages, make a return of the amount thereof to the treasurer and receiver-general, and at the same time shall pay to him one fourth of the amount so received, and for neglect thereof he shall pay interest at the rate of six per cent per annum on the amount of such receipts from the time they become due until they are paid.

money received for licenses.

SECTION 21. The licensing board of a city, the selectmen of a town or any police officer or constable specially authorized by either of them, may at any time enter upon the premises of a person who is licensed under the provisions of this chapter to ascertain the manner in which such person conducts his business and to preserve order. Such police officer or constable may at any time take samples for analysis from any beverages kept on such premises, and the vessel or vessels containing such samples shall be sealed on the premises by the seal of the dealer and shall remain so sealed until presented to the assayer for analysis, and duplicate samples shall be left with the dealer.

Licensing boards, etc., may enter licensed premises to investigate, etc.

May take samples for analysis.

SECTION 22. The licensing board, after notice to the licensee and reasonable opportunity for him to be heard by them or by a committee of the mayor and aldermen or selectmen, if the license was granted by them, may declare his license forfeited or may suspend his license for such period of time as they may deem proper, upon satisfactory proof that he has violated or permitted a violation of any condition thereof, or any provision of this act. If the license is declared to have been forfeited, the licensee shall be disqualified to receive a license for one year after the expiration of the term of the license so forfeited, and if he is the owner of the premises described in such forfeited license, no license shall be issued to be exercised on said premises for the residue of the term hereof.

Forfeiture or suspension of licenses.

Licensees forfeiting licenses to be disqualified, etc.

SECTION 23. During the period between the date when this act takes effect and the first day of May in the year succeeding the next annual election in any city or town, licenses of either of the classes hereinabove provided for may be granted in any city or town which had voted to authorize the sale of intoxicating liquors at the last annual election at which that question appeared upon the ballot. The licensing board of said city or town may at any time after this act takes effect receive applications for such licenses, publish, investigate and act thereon, and may grant such licenses to take effect from the date on which they are granted and to expire on the thirtieth day of April following the next annual

Granting of licenses in cities and towns which had voted at last annual election to authorize sale of intoxicating liquors.

election. The provisions of this act, except section four, shall be applicable to such licenses.

Penalties.

SECTION 24. Whoever, not being duly licensed as provided herein, sells, exposes or keeps for sale certain non-intoxicating beverages as herein defined, or violates any provisions of his license or of this chapter, shall, unless otherwise expressly provided, be punished by a fine of not less than fifty nor more than five hundred dollars, and by imprisonment for not less than one nor more than six months; and such conviction of a licensee shall render any license to him void. Such licensee shall be disqualified to hold a license for one year after his conviction, and, if he is the owner of the licensed premises, no license shall be exercised on the premises described in the forfeited license during the residue of the term thereof.

Convicted licensees to be disqualified, etc.

Certain provisions of law not to apply, etc.

SECTION 25. The provisions of chapter one hundred of the Revised Laws, and of the acts in amendment thereof or supplementary thereto, shall not apply to the non-intoxicating beverages referred to in this act, nor shall such beverages be deemed intoxicating liquors within the meaning of those words in any of the statutes of the commonwealth.

OFFICE OF THE SECRETARY, BOSTON, November 24, 1920.

Certificate of state secretary as to approval of the law by the people.

I hereby certify that the foregoing law entitled "An Act to regulate the Manufacture and Sale of Beer, Cider and Light Wines" was approved by the People at the State Election held on November 2, 1920, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution.

ALBERT P. LANGTRY,
Secretary of the Commonwealth.

For Return of Votes on Chapter 630, Acts of 1920, see pages 715-718.

RETURNS OF VOTES

ON THE

APPROVAL OF A LAW SUBMITTED TO THE PEOPLE
NOVEMBER 2, 1920

UNDER "THE INITIATIVE" AMENDMENT (ARTICLE XLVIII) OF THE
CONSTITUTION

Vote on Question of Approval of "An Act to regulate the Manufacture and Sale of Beer, Cider and Light Wines", submitted under the Provisions of Article XLVIII of the Amendments to the Constitution, "The Initiative, V, Legislative Action on Proposed Laws, Section 1" (Rearrangement, Article 88), to the Voters of the Commonwealth at the State Election held November 2, 1920.

County of Barnstable.

City or Town.	Yes.	No.	City or Town.	Yes.	No.
Barnstable,	600	610	Orleans,	130	191
Bourne,	289	357	Provincetown,	259	222
Brewster,	112	90	Sandwich,	148	216
Chatham,	169	226	Truro,	36	51
Dennis,	178	255	Wellfleet,	66	128
Eastham,	46	52	Yarmouth,	207	152
Falmouth,	418	499			
Harwich,	161	199	Total,	2,846	3,259
Mashpee,	29	11			

County of Berkshire.

Adams,	1,463	810	New Marlborough,	89	88
Alford,	19	36	NORTH ADAMS,	2,334	2,470
Becket,	96	118	Otis,	44	45
Cheshire,	132	189	Peru,	26	12
Clarksburg,	86	144	PITTSFIELD,	5,772	5,402
Dalton,	424	791	Richmond,	44	108
Egremont,	60	84	Sandisfield,	38	30
Florida,	14	33	Savoy,	30	38
Great Barrington,	729	762	Sheffield,	132	175
Hancock,	31	63	Stockbridge,	227	255
Hinsdale,	93	175	Tyringham,	42	39
Lanesborough,	114	132	Washington,	44	15
Lee,	518	557	West Stockbridge,	104	142
Lenox,	458	380	Williamstown,	386	542
Monterey,	35	34	Windsor,	33	34
Mount Washington,	10	13			
New Ashford,	10	13	Total,	13,637	13,729

County of Bristol.

Acushnet,	232	172	North Attleborough,	1,339	1,018
ATTLEBORO,	2,061	2,465	Norton,	240	345
Berkley,	68	120	Raynham,	123	156
Dartmouth,	382	426	Rehoboth,	127	216
Dighton,	189	269	Seekonk,	174	338
Easton,	722	745	Somerset,	254	460
Fairhaven,	665	884	Swansea,	173	310
FALL RIVER,	12,485	8,823	TAUNTON,	4,110	3,652
Freetown,	120	137	Westport,	215	327
Mansfield,	671	824			
NEW BEDFORD,	12,170	8,076	Total,	36,520	29,763

County of Dukes County.

Chilmark,	12	56	Tisbury,	100	198
Edgartown,	95	138	West Tisbury,	21	78
Gay Head,	15	17			
Gosnold,	22	11	Total,	380	624
Oak Bluffs,	115	126			

County of Essex.

City or Town.	Yes.	No.	City or Town.	Yes.	No.
Amesbury,	1,382	1,745	METHUEN,	1,930	2,216
Andover,	1,123	1,620	Middleton,	136	168
BEVERLY,	3,018	3,399	Nahant,	315	250
Boxford,	72	101	Newbury,	157	321
Danvers,	1,291	1,641	NEWBURYPORT,	1,781	2,348
Essex,	176	238	North Andover,	1,092	880
Georgetown,	234	310	PEABODY,	2,422	1,818
GLOUCESTER,	2,095	2,977	Rockport,	388	639
Groveland,	368	407	Rowley,	104	244
Hamilton,	256	281	SALEM,	5,626	4,490
HAVERHILL,	6,045	7,051	Salisbury,	204	268
Ipswich,	422	709	Saugus,	1,089	1,735
LAWRENCE,	11,222	5,559	Swampscott,	908	1,961
LYNN,	12,467	12,645	Topsfield,	114	165
Lynnfield,	188	267	Wenham,	124	241
Manchester,	402	404	West Newbury,	130	303
Marblehead,	1,097	1,552			
Merrimac,	239	537	Total,	58,617	59,490

County of Franklin.

Ashfield,	66	107	Monroe,	20	10
Bernardston,	67	134	Montague,	763	551
Buckland,	156	246	New Salem,	30	80
Charlemont,	75	120	Northfield,	117	328
Colrain,	122	286	Orange,	595	901
Conway,	77	98	Rowe,	16	49
Deerfield,	208	208	Shelburne,	137	333
Erving,	80	118	Shutesbury,	10	35
Gill,	54	135	Sunderland,	40	156
Greenfield,	1,579	2,073	Warwick,	30	48
Hawley,	33	32	Wendell,	26	33
Heath,	18	60	Whately,	58	66
Leverett,	30	66			
Leyden,	30	41	Total,	4,437	6,314

County of Hampden.

Agawam,	477	399	Montgomery,	20	15
Blandford,	42	83	Palmer,	874	960
Brimfield,	44	110	Russell,	141	121
Chester,	108	138	Southwick,	97	159
CHICOPEE,	3,152	1,967	SPRINGFIELD,	13,817	11,231
East Longmeadow,	173	323	Tolland,	11	25
Granville,	70	63	Wales,	49	74
Hampden,	58	44	West Springfield,	1,680	1,242
Holland,	12	22	Westfield,	1,943	2,054
HOLYOKE,	7,375	5,168	Wilbraham,	99	214
Longmeadow,	323	471			
Ludlow,	474	359	Total,	31,505	25,825
Monson,	466	583			

County of Hampshire.

Amherst,	568	1,142	NORTHAMPTON,	2,614	2,730
Belchertown,	204	267	Pelham,	45	81
Chesterfield,	51	89	Plainfield,	38	67
Cummington,	42	93	Prescott,	24	46
Easthampton,	1,100	953	South Hadley,	773	860
Enfield,	95	133	Southampton,	62	162
Goshen,	26	29	Ware,	810	829
Granby,	44	118	Westhampton,	13	88
Greenwich,	54	58	Williamsburg,	274	279
Hadley,	151	183	Worthington,	51	62
Hatfield,	202	215			
Huntington,	185	176	Total,	7,448	8,697
Middlefield,	22	37			

RETURNS OF VOTES, ETC.

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County of Middlesex.

City or Town.	Yes.	No.	City or Town.	Yes.	No.
Acton,	245	425	Maynard,	622	711
Arlington,	2,493	3,636	MEDFORD,	5,172	5,871
Ashby,	61	129	MELROSE,	1,958	4,535
Ashland,	234	325	Natick,	1,960	1,981
Ayer,	357	392	NEWTON,	5,947	9,375
Bedford,	173	250	North Reading,	112	222
Belmont,	1,314	2,174	Pepperell,	386	368
Billerica,	523	652	Reading,	896	1,659
Boxborough,	41	49	Sherborn,	147	211
Burlington,	106	106	Shirley,	192	215
CAMBRIDGE,	12,221	11,480	SOMERVILLE,	8,938	12,400
Carlisle,	44	92	Stoneham,	1,034	1,583
Chelmsford,	511	1,004	Stow,	113	202
Concord,	716	929	Sudbury,	105	237
Dracut,	405	427	Tewksbury,	184	282
Dunstable,	35	68	Townsend,	161	270
EVERETT,	3,990	4,517	Tyngsborough,	98	167
Framingham,	2,159	2,296	Wakefield,	1,548	2,192
Groton,	304	356	WALTHAM,	3,672	4,414
Holliston,	326	433	Watertown,	3,148	3,462
Hopkinton,	370	379	Wayland,	278	373
Hudson,	871	1,138	Westford,	238	323
Lexington,	712	1,331	Weston,	235	570
Lincoln,	149	185	Wilmington,	269	320
Littleton,	109	275	Winchester,	1,263	2,177
LOWELL,	12,629	8,921	WOBURN,	2,420	2,356
MALDEN,	5,738	6,749			
MARLBOROUGH,	2,354	2,256	Total,	90,276	107,450

County of Nantucket.

Nantucket,	309	307
Total,	309	307

County of Norfolk.

Avon,	272	264	Needham,	764	1,352
Bellingham,	187	151	Norfolk,	107	153
Braintree,	1,172	1,663	Norwood,	1,415	1,444
Brookline,	5,930	7,230	Plainville,	180	223
Canton,	1,009	657	QUINCY,	5,230	6,401
Cohasset,	407	496	Randolph,	831	674
Dedham,	1,570	1,453	Sharon,	398	557
Dover,	118	147	Stoughton,	1,191	892
Foxborough,	424	628	Walpole,	650	664
Franklin,	796	754	Wellesley,	775	1,403
Holbrook,	411	506	Westwood,	188	246
Medfield,	227	333	Weymouth,	1,859	2,061
Medway,	302	389	Wrentham,	189	256
Millis,	212	215			
Milton,	1,361	2,093	Total,	28,085	33,305

County of Plymouth.

Abington,	714	852	Hanson,	181	261
Bridgewater,	606	743	Hingham,	842	835
BROCKTON,	8,946	8,082	Hull,	315	161
Carver,	33	133	Kingston,	254	281
Duxbury,	208	227	Lakeville,	104	143
East Bridgewater,	434	505	Marion,	114	177
Halifax,	47	75	Marshfield,	162	283
Hanover,	227	353	Mattapoisett,	134	277

County of Plymouth—Concluded.

City or Town.	Yes.	No.	City or Town.	Yes.	No.
Middleborough,	772	1,363	Scituate,	318	470
Norwell,	157	213	Wareham,	349	459
Pembroke,	147	130	West Bridgewater,	278	401
Plymouth,	1,330	1,227	Whitman,	1,118	1,344
Plympton,	43	81	Total,	19,082	20,303
Rochester,	49	95			
Rockland,	1,200	1,132			

County of Suffolk.

BOSTON,	87,300	63,651	Winthrop,	2,346	2,775
CHELSEA,	3,703	2,375	Total,	97,045	70,856
REVERE,	3,696	2,055			

County of Worcester.

Ashburnham,	194	305	North Brookfield,	308	493
Athol,	951	1,243	Northborough,	205	425
Auburn,	442	526	Northbridge,	1,127	917
Barre,	220	319	Oakham,	49	119
Berlin,	68	252	Oxford,	418	409
Blackstone,	493	251	Paxton,	28	98
Bolton,	54	160	Petersham,	77	110
Boylston,	71	161	Phillipston,	24	50
Brookfield,	253	342	Princeton,	47	119
Charlton,	153	254	Royalston,	72	117
Clinton,	1,913	1,676	Rutland,	115	161
Dana,	61	98	Shrewsbury,	375	615
Douglas,	182	280	Southborough,	205	303
Dudley,	376	257	Southbridge,	2,162	1,426
FITCHBURG,	5,481	4,640	Spencer,	727	824
Gardner,	1,517	1,591	Sterling,	148	222
Grafton,	615	745	Sturbridge,	132	206
Hardwick,	254	269	Sutton,	157	247
Harvard,	127	229	Templeton,	339	447
Holden,	219	468	Upton,	205	392
Hopedale,	242	635	Uxbridge,	663	608
Hubbardston,	77	181	Warren,	369	394
Lancaster,	189	300	Webster,	1,632	898
Leicester,	495	477	West Boylston,	84	331
LEOMINSTER,	2,286	2,438	West Brookfield,	122	222
Lunenburg,	148	259	Westborough,	586	868
Mendon,	75	171	Westminster,	105	223
Milford,	1,693	1,325	Winchendon,	612	696
Millbury,	679	661	WORCESTER,	21,029	20,331
Millville,	322	190	Total,	52,028	53,029
New Braintree,	26	55			

Aggregate of Votes.

Counties.	Yes.	No.	Counties.	Yes.	No.
BARNSTABLE,	2,846	3,259	MIDDLESEX,	90,276	107,450
BERKSHIRE,	13,637	13,729	NANTUCKET,	309	307
BRISTOL,	36,520	29,763	NORFOLK,	28,085	33,305
DUKES COUNTY,	380	624	PLYMOUTH,	19,082	20,303
ESSEX,	58,617	59,490	SUFFOLK,	97,045	70,856
FRANKLIN,	4,437	6,314	WORCESTER,	52,028	53,029
HAMPDEN,	31,505	25,825	TOTAL,	442,215	432,951
HAMPSHIRE,	7,443	8,697			

ACTS AND RESOLVES

AND

AMENDMENTS TO THE CONSTITUTION

PASSED BY THE

General Court of Massachusetts

AT AN

EXTRA SESSION, 1920

CONVENED ON TUESDAY, THE SEVENTH DAY OF DECEMBER, AND
ADJOURNED ON WEDNESDAY, THE TWENTY-SECOND
DAY OF DECEMBER

ACTS.

EXTRA SESSION, 1920.

AN ACT RELATIVE TO PRELIMINARY ELECTIONS IN THE CITY OF WESTFIELD. *Chap. 631*

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter two hundred and ninety-four of the acts of nineteen hundred and twenty is hereby amended by inserting after section fourteen the following additional sections, to be numbered 14-A, 14-B, 14-C, 14-D, 14-E, 14-F and 14-G, respectively. *Section 14-A.* On the first day, not being Sunday or a legal holiday, following the expiration of the time for filing the above described statements and petitions, the city clerk shall post in a conspicuous place in the city hall the names and residences of the candidates for nomination who have duly filed the above mentioned statements and petitions, as they are to appear on the official ballots to be used at the preliminary election, except as to the order of the names, and shall cause the ballots to be printed, and the ballots so prepared shall be the official ballots and the only ballots used at the preliminary election. They shall be headed as follows: —

1920, 294, new sections after § 14.

Preliminary elections in city of Westfield, posting of names of candidates.

Printing of ballots, etc.

OFFICIAL PRELIMINARY BALLOT.

Candidates for nomination for the office of () Official preliminary ballot, heading.
in the city of Westfield. At a preliminary election to be held on the day of in the year nineteen hundred and . (The heading shall be varied in accordance with the offices for which nominations are to be made.) *Section 14-B.* The name of each person, and of none other, who has filed a statement and accompanying petition as aforesaid with his residence and

What names to appear on ballot.

Order of
names on
ballot.

Blank spaces
to be left on
ballot, etc.

Party or
political design-
ations, etc.,
prohibited.

Counting of
ballots and
return of
votes.

Canvass and
publication of
returns.

Nominations,
how deter-
mined.

Acceptance not
necessary.

What
candidates'
names to be
printed on
official ballots.

the title and term of the office for which he is a candidate for nomination, shall be printed on said ballots under the designation of said office in the order in which they may be drawn by the city clerk, whose duty it shall be to make such drawing and to give each candidate an opportunity to be present in person or by one representative. Blank spaces shall be left at the end of each list of candidates for nomination for the different offices equal to the number to be nominated therefor, in which the voter may insert the name of any person not printed on the ballot for whom he desires to vote for nomination for such office. There shall be printed on said ballots such directions as will aid the voter, as to wit, "vote for one", "vote for two", and the like. *Section 14-C.* No ballot used at any preliminary, special or annual city election shall have printed thereon any party or other political designation or mark, and there shall not be appended to the name of any candidate any such party or other political designation or mark, or anything showing how he was nominated, or indicating his views or opinions. *Section 14-D.* The election officers shall, immediately upon the closing of the polls at preliminary elections, count the ballots and ascertain the number of votes cast in the voting places where they officiate for each person for nomination for each office, and shall forthwith make return thereof to the city clerk upon blanks to be furnished as in city elections. *Section 14-E.* On the first day, not being a legal holiday, following the preliminary election, the city clerk shall canvass the returns received from the election officers, and shall forthwith determine the result of the canvass and publish the same in one or more newspapers published in the city, and shall post the same in a conspicuous place in the city hall. *Section 14-F.* The two persons receiving at a preliminary election the highest number of votes for nomination for an office shall be the sole candidates for that office whose names may be printed on the official ballot to be used at the annual or special election at which such office is to be filled, and no acceptance of a nomination at a preliminary election shall be necessary to its validity.

If two or more persons are to be elected to the same office at such annual or special election the several persons in number equal to twice the number so to be elected receiving at such preliminary election the highest number of votes for nomination for that office, or all such persons, if less than twice the number of those so to be elected, shall be the sole

candidates for that office whose names may be printed on the official ballot.

If the preliminary election results in a tie vote among candidates for nomination receiving the lowest number of votes, which, but for said tie vote, would entitle a person receiving the same to have his name printed upon the official ballot for the election, all candidates participating in said tie vote shall have their names printed upon the official ballot, although in consequence there be printed thereon candidates to a number exceeding twice the number to be elected. *Section 14-G.* If at the expiration of the time for filing statements of candidates to be voted for at any preliminary election not more than twice as many such statements have been filed with the city clerk for the office of mayor, councillor at large, or school committee as there are candidates to be elected to said offices respectively, the candidates whose statements have thus been filed shall be deemed to have been nominated to said offices respectively, and their names shall be used at such annual or special election, and the city clerk shall not print said names upon the ballot to be used at said preliminary election, and no other nomination to said offices shall be made. And if in any ward, at the expiration of the time for filing statements of candidates to be voted for at any preliminary election, not more than twice as many such statements have been filed with the city clerk for the office of councillor from such ward as are to be elected, the candidates whose statements have thus been filed shall be deemed to have been nominated, and their names shall be printed on the official ballot to be used at such annual or special election, and the city clerk shall not print said names upon the ballot to be used at said preliminary election, and no other nominations to said offices shall be made. And if it shall appear that no names are to be printed upon the official ballot to be used at any preliminary election in any ward or wards of the city, no preliminary election shall be held in any such ward or wards.

Tie vote.

When insufficient number of statements have been filed, candidates filing statements to be deemed to have been nominated, etc.

Candidates in any ward, when deemed to have been nominated, etc.

Preliminary elections, when not to be held.

SECTION 2. The provisions of said chapter two hundred and ninety-four, as amended by this act, shall apply to the preliminary election held in the city of Westfield on the thirtieth day of November in the current year to the same extent as if the same had been in effect on said day, and the name of no candidate for municipal office in said city shall be printed on the ballot to be used at the election in said city on the twenty-first day of December, in the current

Provisions of act to apply to preliminary election held in current year.

year, unless he was nominated in accordance with the said provisions, as hereby amended.

SECTION 3. This act shall take effect upon its passage.

Approved December 10, 1920.

Chap.632 AN ACT TO AUTHORIZE WOMEN TO PARTICIPATE IN AFFAIRS OF GOVERNMENT IN THE TOWN OF BROOKLINE.

Be it enacted, etc., as follows:

1915, 250 (S),
§§ 1, 2, 4, 7, 8,
amended.

Women au-
thorized to
participate in
affairs of
government in
town of
Brookline.

SECTION 1. Section one of chapter two hundred and fifty of the Special Acts of nineteen hundred and fifteen is hereby amended by striking out the word "male", in the seventh line thereof.

SECTION 2. Section two of said chapter two hundred and fifty is hereby amended by striking out the word "male", in the first line thereof.

SECTION 3. Section four of said chapter two hundred and fifty is hereby amended by striking out the word "male", in the fourth line thereof.

SECTION 4. Section seven of said chapter two hundred and fifty is hereby amended by striking out the word "male", in the fourth line thereof.

SECTION 5. Section eight of said chapter two hundred and fifty is hereby amended by striking out the word "male", in the ninth, twelfth and sixteenth lines thereof.

SECTION 6. This act shall take effect upon its passage.

Approved December 13, 1920.

Chap.633 AN ACT TO ENABLE WOMEN TO HOLD MUNICIPAL OFFICES.

Emergency
preamble.

Whereas, The deferred operation of this act would defeat its purpose to render women eligible for election to municipal office at current municipal elections, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Women to be
eligible to all
municipal
offices.

Women shall be eligible to all municipal offices, notwithstanding the provisions of any special law or charter to the contrary.

Approved December 17, 1920.

Chap.634 AN ACT RELATIVE TO THE RATE OF INTEREST ON BONDS OF GAS AND ELECTRIC COMPANIES.

Emergency
preamble.

Whereas, The purpose of this act is to give effect to the intent of certain legislation embodied in chapter five hundred

and eighty-one of the acts of nineteen hundred and twenty, which was enacted as emergency legislation, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Chapter five hundred and eighty-one of the acts of nineteen hundred and twenty is hereby amended by striking out section one and substituting the following: — *Section 1.* Gas and electric companies, may, subject in all other respects to the provisions of chapter seven hundred and forty-two of the acts of nineteen hundred and fourteen, and the amendments thereof, issue bonds bearing interest at such rate as the department of public utilities shall approve, and may secure the payment of the principal and interest of such bonds by a mortgage of their franchise and properties; and any such corporation issuing bonds under a mortgage existing at the time of the passage of this act, by the provisions of which the rate of interest on bonds issued thereunder is fixed, may, with the approval of the said department, issue bonds thereunder at a price and with provisions for amortization of any discount approved by the said department as consistent with the public interest, provided that the terms of the mortgage so permit.

1920, 581, § 1, amended.

Rate of interest on bonds of gas and electric companies.

Approved December 22, 1920.

AN ACT TO VALIDATE CERTAIN MEMORIAL LOAN BONDS AND PROCEEDINGS OF THE TOWN OF FRAMINGHAM.

Chap. 635

Be it enacted, etc., as follows:

SECTION 1. The bonds which the town of Framingham, by unanimous vote passed on March twenty-fourth, nineteen hundred and twenty under article thirty-three of the warrant for said meeting, authorized the board of selectmen and the treasurer to issue in accordance with the provisions of chapter sixty-one of the General Acts of nineteen hundred and nineteen and other provisions of law relating thereto, shall be deemed to be authorized by chapter two hundred and ninety-two of the acts of nineteen hundred and twenty and may be issued in compliance therewith, without further vote of the town, by the treasurer with the approval of the board of selectmen. The said bonds shall be designated, Town of Framingham, Memorial Loan, 1920, shall be dated November first, nineteen hundred and twenty, shall be in the denomination of one thousand dollars each, shall be payable as fol-

Certain memorial bonds of town of Framingham validated.

Town of Framingham, Memorial Loan, 1920.

lows: three thousand dollars on the first day of November of each of the years nineteen hundred and twenty-one to nineteen hundred and forty inclusive, and shall bear interest at the rate of four and three quarters per cent per annum payable semi-annually. Each bond shall state upon its face that it is issued under authority of chapter sixty-one of the General Acts of nineteen hundred and nineteen, as amended by chapter two hundred and ninety-two of the acts of nineteen hundred and twenty, and the indebtedness represented thereby shall be reckoned outside the statutory limit of indebtedness.

Certain proceedings and votes of town validated.

SECTION 2. All the proceedings and votes of the said town with reference to the Memorial Building project, to the acquiring of land, and to appropriating and borrowing money therefor, and all acts done under authority thereof are hereby confirmed and validated.

SECTION 3. This act shall take effect upon its passage.

Approved December 22, 1920.

Chap. 636 AN ACT RELATIVE TO THE READJUSTMENT OF VOTING PRECINCTS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

1913, 835, § 217, etc., amended.

SECTION 1. Section two hundred and seventeen of chapter eight hundred and thirty-five of the acts of nineteen hundred and thirteen, as amended by chapter seventy-four of the General Acts of nineteen hundred and eighteen, is hereby further amended by striking out all after the word "precincts", in the sixteenth line down to and including the word "voters", in the twenty-fourth line and substituting the following:— or, in Boston whenever in the judgment of the election commissioners a new division of precincts is necessary for the proper conduct of primaries and elections, the election commissioners may make a new division of the ward into voting precincts, — so as to read as follows:— *Section 217.* Each city shall be divided into convenient voting precincts, designated by numbers or letters and containing not more than one thousand voters.

Voting precincts in cities, designation, etc.

Division of wards into voting precincts, time, boundaries, etc.

Every ward shall constitute a voting precinct by itself, or shall be divided into such precincts. If a ward constituting one precinct contains less than one thousand voters, according to the registration of voters at the preceding annual city election, the aldermen may, and if it contains more than one thousand voters, shall, on or before the first Monday of

July, divide it into two or more voting precincts. If a voting precinct shall, in any year, according to such registration, contain more than one thousand voters, the aldermen shall in like manner either divide such precinct into two or more voting precincts or shall make a new division of the ward into voting precincts; or, in Boston whenever in the judgment of the election commissioners a new division of precincts is necessary for the proper conduct of primaries and elections, the election commissioners may make a new division of the ward into voting precincts. Such precincts shall be so established as to contain, as nearly as may be, an equal number of voters, shall consist of compact and contiguous territory entirely within one ward, and be bounded, so far as possible, by the centre line of known streets or ways or by other well-defined limits.

City of Boston, re-adjustment of voting precincts.

SECTION 2. This act shall take effect upon its passage.

Approved December 22, 1920.

AN ACT TO PROVIDE FOR IMMEDIATE PUBLIC OPERATION OF CERTAIN STREET RAILWAY LINES BY THE HYDE PARK TRANSPORTATION DISTRICT.

Chap. 637

Be it enacted, etc., as follows:

SECTION 1. The Hyde Park Transportation District, incorporated under the provisions of chapter six hundred and thirteen of the acts of nineteen hundred and twenty, is hereby authorized to receive, and the city of Boston is hereby authorized to pay to it the thirty thousand dollars authorized to be expended under the provisions of section seven of said chapter to be expended by said corporation for the subjects specified in that section. The said amount shall be expended under the supervision of the department of public utilities. The provisions of section ten of the said chapter shall apply to such expenditure.

Payment of money to The Hyde Park Transportation District by city of Boston authorized, etc.

SECTION 2. Section two of said chapter six hundred and thirteen is hereby amended by striking out after the word "performed", in line three, the words "and that", and by striking out after the words "boundary line" in line eight, the words "are in safe and proper condition for operation, the said street railway lines in said area", so as to read as follows: — *Section 2.* Upon certification by the department of public utilities, hereinafter called the department, that the work required by section six has been performed, the following lines in said area, to wit: the line from Wolcott square,

1920, 613, § 2, amended.

Certain street railway lines to be operated by The Hyde Park Transportation District.

Readville, through Cleary square to the former Hyde Park-Boston boundary line, and the River street line from Mattapan square through Cleary square to the Dedham boundary line, shall, during the period of public management and control of the Boston Elevated Railway Company under said chapter one hundred and fifty-nine and any amendments thereof, be managed and operated by the corporation in behalf of the city of Boston in the same manner and to the same extent as are the lines of the Boston Elevated Railway Company. All the provisions of said chapter one hundred and fifty-nine, so far as they are relevant, and except as is otherwise provided in this act, shall apply to the management and operation of street railway transportation in the said district.

1920, 613, § 3,
amended.

SECTION 3. Section three of said chapter six hundred and thirteen is hereby amended by inserting after the word "department", in the first line, the words: — and upon payment of the sum authorized to be paid by section seven to said corporation, it shall forthwith begin to manage and operate the street railway lines defined in section two under and in accordance with the provisions of this act and, — and by inserting after the word "nineteen", in the fourteenth line, the words: — exclusive of appreciation or depreciation on account of the construction of the double track line constructed from the junction of Hyde Park avenue and Metropolitan avenue and running thence to Cleary square, under the provisions of section six, — so that said section will read as follows: — *Section 3.* Upon said certification by the department and upon payment of the sum authorized to be paid by section seven to said corporation, it shall forthwith begin to manage and operate the street railway lines defined in section two under and in accordance with the provisions of this act and the Eastern Massachusetts Street Railway Company shall cease to operate said street railway lines within the said area and shall permit the corporation to take over and operate the same and all property appurtenant thereto which the department certifies is necessary for the safe and efficient operation of said lines. The corporation shall pay to said company an annual rental at the rate of six per cent on a sum equal to the value of the property taken over as determined under the provisions of chapter one hundred and eighty-eight of the Special Acts of nineteen hundred and eighteen, increased or diminished by any appreciation or depreciation of said value which shall have occurred

Eastern
Massachusetts
Street Railway
Company shall
cease to
operate certain
street railway
lines, etc.

Annual rental,
rate, determi-
nation, etc.

since the first day of June, nineteen hundred and nineteen, exclusive of appreciation or depreciation on account of the construction of the double track line constructed from the junction of Hyde Park avenue and Metropolitan avenue and running thence to Cleary square, under the provisions of section six. The said sum shall be determined by the department at the time and as a part of its certification under section two. The said annual rental shall be paid in such instalments and at such times as the department may fix.

SECTION 4. Section six of said chapter six hundred and thirteen is hereby amended by striking out all after the word "corporation" in line ten and by substituting the following:

1920, 613, § 6,
amended.

— In addition to said rental as herein fixed there shall yearly be paid to the Eastern Massachusetts Street Railway Company such amounts as the department shall determine to be adequate to provide for depreciation on said new construction made by the Eastern Massachusetts Street Railway Company, — so that the said section will read as follows: —

Section 6. The trustees of the Eastern Massachusetts Street Railway Company are hereby authorized and directed to construct a double track line on Hyde Park avenue, beginning where the double track now ceases at the junction of Hyde Park avenue and Metropolitan avenue and running thence to Cleary square. Seven per cent of the cost of the construction of the said double track line, as determined and approved by the department, shall be paid by the corporation as a yearly rental for the use of the said double track line so long as the tracks are operated by the corporation. In addition to said rental as herein fixed there shall yearly be paid to the Eastern Massachusetts Street Railway Company such amounts as the department shall determine to be adequate to provide for depreciation on said new construction made by the Eastern Massachusetts Street Railway Company.

Construction
of certain
double track
line.

Yearly rental.

Payment for
depreciation
on new construction,
etc.

SECTION 5. This act shall take effect upon its passage.

Approved December 22, 1920.

AN ACT RELATIVE TO THE GOVERNMENT OF THE TOWN OF WATERTOWN AND TO THE PARTICIPATION OF WOMEN THEREIN.

Chap. 638

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter two hundred and five of the Special Acts of nineteen hundred and nineteen is hereby amended by striking out, in lines five and six, the

1919, 205 (S),
§ 1, amended.
Town of
Watertown,
division into

voting
precincts, etc.

words "and shall contain not less than three hundred nor more than one thousand male voters"; by striking out the word "male" wherever it occurs, and by striking out the word "January" wherever it occurs and substituting the word "November".

1919, 205 (S),
§ 2, amended.

Town meeting
members,
number,
election, etc.

SECTION 2. Said chapter two hundred and five is hereby amended by striking out section two and substituting the following:— *Section 2.* Other than the officers designated in section three of this act as town meeting members at large, the total representative town meeting membership shall not exceed two hundred and seventy. The voters in each precinct at the annual town election held in the year nineteen hundred and twenty-one, conformably to the laws relative to elections not inconsistent with this act, shall elect by ballot to be town meeting members such a number of the voters of the precinct as will be one third of the largest number which is divisible by three which will admit of a representation of all precincts by an equal number of members and which will not cause the total elected town meeting membership to exceed two hundred and seventy. The members so elected, except as otherwise provided herein, shall serve for a term of three years, and at each annual town election thereafter, except as otherwise provided herein, the voters of each precinct shall in like manner elect a like number of town meeting members for the term of three years, and shall at each of said annual town elections elect such other members of the town meeting as may be necessary to fill any vacancies for the unexpired term or terms existing in the number of the elected town meeting membership in their respective precincts. Upon the revision of the precincts, or of any of them, the terms of office of all town meeting members from every such revised precinct shall cease upon the election of their successors, and at the first annual town election thereafter, there shall be an entirely new election of town meeting members in every precinct so revised, as well as in any precinct newly established, and at such election there shall be elected by ballot the largest number divisible by three which will admit of a representation of all precincts by an equal number of members and which will not cause the total elected town meeting membership to exceed two hundred and seventy, one third of which number shall be elected for a term of one year, one third for a term of two years, and one third for a term of three years from the day of said annual town election. The town clerk shall,

New election
of town meet-
ing members,
when, etc.

Notice of
election.

after every election of town meeting members, forthwith notify each member by mail of his election.

SECTION 3. Section four of the said chapter two hundred and five is hereby amended by striking out the word "male", in the fourth line.

1919, 205 (S),
§ 4, amended.
Nominations,
how made.

SECTION 4. Section seven of said chapter two hundred and five is hereby amended by striking out the word "male" in line four, and by striking out the word "four" in line eleven and substituting the word "seven"; and by striking out the word "five" in line twenty-five and substituting the word "three".

1919, 205 (S),
§ 7, amended.
Vacancies, how
filled, etc.

SECTION 5. Section eight of the said chapter two hundred and five is hereby amended by striking out the word "male" in the sixth line; and in the eighteenth, nineteenth and twentieth lines by striking out the words "The questions submitted at the said town meeting shall be determined by vote of a majority of the voters at large voting thereon", and substituting the words: — The questions so submitted shall be determined by vote of the same proportion of the voters at large voting thereon as would have been required by law had the question been finally determined at a representative town meeting.

1919, 205 (S),
§ 8, amended.
Determination
of referendum
questions.

SECTION 6. Section five of said chapter two hundred and five is hereby amended by striking out, in lines four and five, the words "to granting licenses for the sale of intoxicating liquors".

1919, 205 (S),
§ 5, amended.
Warrant
articles, how
acted upon,
etc.

SECTION 7. This act shall take effect upon its passage.

Approved December 22, 1920.

AN ACT TO AUTHORIZE THE TOWN OF STOCKBRIDGE TO
SUPPLY ITSELF AND ITS INHABITANTS WITH WATER. *Chap. 639*

Be it enacted, etc., as follows:

SECTION 1. The town of Stockbridge may supply itself and its inhabitants with water for the extinguishment of fires and for domestic, manufacturing and other purposes; may establish fountains and hydrants, relocate or discontinue the same; and may regulate the use of such water and fix and collect rates to be paid therefor.

Town of
Stockbridge
may supply
itself and its
inhabitants
with water.

SECTION 2. The said town, for the purposes aforesaid, may lease, take, or acquire by purchase or otherwise, and hold the waters of any pond or stream or of any ground sources of supply by means of driven, artesian or other wells

May take
certain waters,
lands, etc.

within the limits of the town, and the water rights connected with any such water sources, and may purchase water from private corporations, and enter into contracts, covering periods not exceeding ten years, for the purchase of water from such corporations, and may also take, or acquire by purchase or otherwise, and hold all lands, rights of way and easements necessary for collecting, storing, purifying and preserving the water, and for conveying the same to any part of said town: *provided, however*, that no source of water supply and no lands necessary for preserving the quality of the water shall be taken without first obtaining the advice and approval of the department of public health, and that the situation of all dams, reservoirs and wells to be used as sources of water supply under this act shall be subject to the approval of said department. The town may construct on the lands acquired and held under the provisions of this act, proper dams, reservoirs, standpipes, tanks, buildings, fixtures and other structures, and may make excavations, procure and operate machinery and provide such other means and appliances and do such other things as may be necessary for the establishment and maintenance of complete and effective water works; and for that purpose may construct wells and reservoirs and establish pumping works, and may construct, lay and maintain aqueducts, conduits, pipes and other works under and over any land, water courses, railroads, railways and public or other ways, and along such ways in the town of Stockbridge, in such manner as not unnecessarily to obstruct the same; and for the purpose of constructing, laying, maintaining, operating and repairing such conduits, pipes and other works, and for all other proper purposes of this act, the said town may dig up or raise and embank any such lands, highways or other ways, in such manner as to cause the least possible hindrance to public travel. The town shall not enter upon, construct or lay any conduits, pipes or other works within the location of any railroad corporation, or within districts supplied by a private corporation, except at such time and in such manner as it may agree upon with such corporation, or, in case of failure so to agree, as may be approved by the department of public utilities.

Proviso.

May construct
dams, reser-
voirs, etc.

Restrictions
upon entrance
upon railroad
locations.

Description of
lands, etc.,
taken to be
recorded.

SECTION 3. The town shall, within ninety days after the taking of any lands, rights of way, water rights, water sources or easements as aforesaid, file in the registry of deeds for the southern district of the county of Berkshire, a description

thereof sufficiently specific for identification, with a statement of the purpose for which the same were taken, signed by the water commissioners hereinafter provided for. The title to all land purchased or taken under the provisions of this act shall vest in the town of Stockbridge, and the land so acquired may be managed, improved and controlled by the said water commissioners, in such manner as they shall deem for the best interests of the town.

SECTION 4. The town shall pay all damages to property sustained by any person or corporation by the taking of any land, right of way, water, water source, water right or easement, or by any other thing done by the town under authority of this act. Any person or corporation sustaining damages as aforesaid and failing to agree with the town as to the amount thereof, may have the same determined in the manner provided by law in the case of land taken for the laying out of highways, on application at any time within the period of two years after the taking of such land or other property or the doing of other injury under authority of this act; but no such application shall be made after the expiration of the said two years. No application for assessment of damages shall be made for the taking of any water, water right, or for any injury thereto, and the said period of two years shall not begin to run until the water is actually withdrawn or diverted by the town under authority of this act. The town may by vote, from time to time, determine what amount or quantity of water it proposes to take and appropriate under this act; in which case any damages caused by such taking shall be based upon such amount or quantity until the same shall be increased by vote or otherwise, and in such event the town shall be further liable only for the additional damages caused by such additional taking.

Payment of
damages, etc.

SECTION 5. The said town, for the purpose of paying the necessary expenses and liabilities incurred or to be incurred under the provisions of this act, may issue from time to time bonds or notes to an amount not exceeding seventy-five thousand dollars. Such bonds or notes shall bear on their face the words, Town of Stockbridge Water Loan, Act of 1920, shall be payable at the expiration of periods not exceeding thirty years from the dates of issue, shall bear such rates of interest, payable semi-annually, as the treasurer of the town and the selectmen shall determine; and shall be signed by the treasurer of the town and countersigned by the selectmen. The town may sell the said securities at public

Town of
Stockbridge
Water Loan,
Act of 1920.

or private sale upon such terms and conditions as it may deem proper, but not for less than their par value.

Payment of
loan.

SECTION 6. The said town shall, at the time of authorizing the said loan or loans, provide for the payment thereof in accordance with the provisions of section fourteen of chapter seven hundred and nineteen of the acts of nineteen hundred and thirteen, and all acts in amendment thereof and in addition thereto, in such manner that any loans issued under authority of this act shall be paid within the period above specified; and when a vote to that effect has been passed, a sum, which with the income derived from the water rates, will be sufficient to pay the annual expense of operating the water works or the purchasing of water and the maintenance of its pipe lines, as the case may be, and the interest as it accrues on the bonds or notes issued as aforesaid, and to make such payments on the principal as may be required under the provisions of this act, shall, without further vote, be assessed by the assessors of the town annually thereafter, in the same manner as other taxes, until the debt incurred by the said loan or loans is extinguished.

Penalty for
pollution, etc.,
of water.

SECTION 7. Whoever wilfully or wantonly corrupts, pollutes or diverts any water taken or held under this act, or injures any structure, work or other property owned, held or used by said town under authority of this act, shall forfeit and pay to the town three times the amount of damages assessed therefor, to be recovered in an action of tort; and upon being convicted of any of the above wilful or wanton acts shall be punished by a fine not exceeding three hundred dollars or by imprisonment for a term not exceeding one year.

Board of water
commissioners,
election,
powers, etc.

SECTION 8. The said town shall, after its acceptance of this act, at the same meeting at which the act is accepted or at a meeting called for the purpose, elect by ballot three persons to hold office, one until the expiration of three years, one until the expiration of two years, and one until the expiration of one year from the next succeeding annual town meeting, to constitute a board of water commissioners; and at each annual town meeting thereafter one such commissioner shall be elected by ballot for the term of three years. All the authority granted to the town by this act, and not otherwise specifically provided for, shall be vested in said water commissioners, who shall be subject, however, to such instructions, rules and regulations as the town may impose by vote. A majority of said commissioners shall constitute

a quorum for the transaction of business. Any vacancy occurring in said board from any cause may be filled for the remainder of the unexpired term by the town at any meeting called for the purpose. Any such vacancy may be filled temporarily by a majority vote of the selectmen, and the person so appointed shall hold office until the town fills the vacancy in the manner provided herein. The town may, by a majority vote of the voters of the town, present and voting at a meeting so called or held, authorize the selectmen to act as a board of water commissioners with all the powers of such commissioners, their term as such commissioners, however, to expire with their term as selectmen, and their successors as selectmen to act as commissioners until it is otherwise provided by the town.

Vacancies.

Selectmen
acting as board
of water com-
missioners.

SECTION 9. The said commissioners shall fix just and equitable prices and rates for the use of water, and shall prescribe the time and manner of payment. The income of the water works shall be applied to defraying all operating expenses, interest charges and payments on the principal as they accrue upon any bonds or notes issued under authority of this act. If there should be a net surplus remaining after providing for the aforesaid charges it shall be used for such new construction as the water commissioners may determine upon, and in case a surplus should remain after payment for such new construction the water rates shall be reduced proportionately. No money shall be expended in new construction by the water commissioners except from the net surplus aforesaid, unless the town appropriates and provides money therefor. The said commissioners shall annually, and as often as the town may require, render a report upon the condition of the works under their charge and an account of their doings, including an account of receipts and expenditures.

To fix water
rates, etc.

Net surplus,
how used.

Annual report.

SECTION 10. This act shall take effect upon its acceptance by a majority of the voters of the town of Stockbridge present and voting thereon at a meeting called for the purpose within three years after its passage; but the number of meetings so called in any one year shall not exceed three; and for the purpose of being submitted to the voters as aforesaid this act shall take effect upon its passage.

To be sub-
mitted to
voters, etc.

Approved December 22, 1920.

Chap. 640 AN ACT TO PROVIDE FOR THE CONTINUOUS CONSOLIDATION
OF THE GENERAL STATUTES.

Be it enacted, etc., as follows:

Counsel to
senate and
house of
representa-
tives, appoint-
ment, terms,
etc.

To prepare
table of
changes in
general
statutes, to
consolidate in
the General
Laws all new
general
statutes, etc.

To assist
members and
committees of
general court,
etc.

To submit
proposed
changes in
general
statutes.

To file copy of
all amend-
ments of, and
additions to the
General Laws.

May employ
assistance, etc.

Not to be
deemed to be
executive or
administrative
officers, etc.

Entitled to
receive books,
papers, etc.,
used by com-
missioners to
consolidate
and arrange
general laws.

SECTION 1. The committees on rules of the senate and house of representatives shall each appoint a skilled person to act as counsel to the senate and house of representatives, respectively, at such compensation as the said committees may approve. The persons so appointed shall serve for the term of two years from the date of appointment, subject to the pleasure of the said committees. They shall, under the direction of the said committees, annually prepare a table of changes in the general statutes, an index to the acts and resolves, and shall from time to time, under the direction of the said committees or of the general court, consolidate and incorporate in the General Laws all new general statutes.

SECTION 2. The said counsel shall, under like direction, assist members and committees of the senate and house of representatives in drafting bills, and shall advise and assist the committees on bills in the third reading. They shall, so far as possible, draft all bills proposed for legislation as general statutes in the form of specific amendments of or additions to the General Laws.

SECTION 3. The said counsel may, from time to time, submit to the general court such proposed changes and corrections in the general statutes as they deem necessary or advisable. They shall, as early as is practicable after prorogation, file in the office of the state secretary a copy of all amendments of and additions to the General Laws, which shall be open to public inspection.

SECTION 4. The said counsel may employ such legal and other assistance as may be necessary in the discharge of their duties, subject to the approval of the said committees on rules, and may expend with like approval such sums as may be necessary for office, printing and other expenses.

SECTION 5. The said counsel shall not be deemed to be executive or administrative officers within the meaning of the constitution, but shall serve directly under the general court.

SECTION 6. Immediately upon their appointment, the said counsel shall be entitled to receive all books, documents, papers, and such other equipment heretofore used by the commissioners to consolidate and arrange the general laws as may be necessary in the discharge of their duties under this act.

Approved December 22, 1920.

AN ACT RELATIVE TO APPROPRIATIONS FOR SCHOOL PURPOSES *Chap. 641*
IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter two hundred and six of the Special Acts of nineteen hundred and nineteen, as amended by section one of chapter two hundred and forty-nine of the Special Acts of nineteen hundred and nineteen, is hereby further amended by striking out paragraph (a) and substituting the following: — (a) For general school purposes; for the financial year ending on the thirty-first day of January, nineteen hundred and twenty-one, five dollars and thirty-seven cents, and for each financial year thereafter, six dollars and thirty cents.

1919, 206 (S),
§ 1, Par. (a),
etc., amended.

Appropriations
by Boston
school com-
mittee for gen-
eral school
purposes.

SECTION 2. Section one of said chapter two hundred and six, as amended by section two of said chapter two hundred and forty-nine, is hereby further amended by striking out paragraph (d) and substituting the following: — (d) For organizing and conducting physical training and exercises, athletics, sports, games and play, and for providing apparatus, equipment and facilities for the same in buildings, yards, and playgrounds under the control of said committee, or upon any other land which the committee may have the right to use for this purpose under the provisions of chapter two hundred and ninety-five of the acts of nineteen hundred and seven; for the financial year ending on the thirty-first day of January, nineteen hundred and twenty-one, ten cents, and for each financial year thereafter, eleven cents.

1919, 206 (S),
§ 1, Par. (d),
etc., amended.

Appropriations
by Boston
school com-
mittee for
physical
training, etc.

SECTION 3. Said section one of said chapter two hundred and six, as amended by section three of said chapter two hundred and forty-nine, is hereby further amended by striking out paragraph (e) and substituting the following: — (e) For the employment of one supervising female nurse, and so many district female nurses as, in the opinion of said committee, are necessary in accordance with the provisions of chapter three hundred and fifty-seven of the acts of nineteen hundred and seven, and for the employment of such number of school physicians as, in the opinion of the committee, may be necessary, and for the care of teeth of school children; for the financial year ending on the thirty-first day of January, nineteen hundred and twenty-one, eight cents, and for each financial year thereafter, nine cents.

1919, 206 (S),
§ 1, Par. (e),
etc., amended.

Appropriations
by Boston
school com-
mittee for em-
ployment of
nurses, physi-
cians, etc.

SECTION 4. Said section one of said chapter two hundred and six is hereby further amended by striking out paragraph

1919, 206 (S),
§ 1, Par. (f),
amended.

Appropriations
by Boston
school com-
mittee for
educational
and recreative
activities, etc.

(f) and substituting the following: — (f) For the purpose of conducting educational and recreative activities in or upon school property under the control of said committee, and the use thereof by individuals and associations in accordance with the provisions of chapter one hundred and ninety-five of the acts of nineteen hundred and twelve, and chapter eighty-six of the Special Acts of nineteen hundred and sixteen; for the financial year ending on the thirty-first day of January, nineteen hundred and twenty-one, two cents, and for each financial year thereafter, three cents.

Tax limit
increased.

SECTION 5. For the purposes of this act the limit of the amount of taxes on property in the city of Boston is hereby increased in the year nineteen hundred and twenty-one and in each year thereafter, ninety-six cents on each one thousand dollars of the valuation upon which the appropriations of the city council of the city of Boston are based.

To be sub-
mitted to
mayor, city
council and
school com-
mittee.
Certain re-
striction not to
apply, etc.

SECTION 6. This act shall take effect upon its acceptance by the mayor, the city council and the school committee of said city; and the school committee may increase salaries on and after February first, nineteen hundred and twenty-one, in accordance with its provisions, notwithstanding the restriction contained in the last sentence of section five of chapter two hundred and forty-one of the acts of eighteen hundred and seventy-five. *Approved December 22, 1920.*

Chap. 642 AN ACT TO PROVIDE FOR PRECINCT VOTING, REPRESENTATIVE TOWN MEETINGS, TOWN MEETING MEMBERS, A REFERENDUM AND AN ANNUAL MODERATOR IN THE TOWN OF ARLINGTON.

Be it enacted, etc., as follows:

Precinct voting,
representative
town meetings,
etc., in town
of Arlington.

SECTION 1. Upon the acceptance of this act by the town of Arlington, as hereinafter provided, the members of the board of selectmen, the board of public works and the board of assessors, acting jointly and hereinafter referred to as the districting board, shall forthwith divide the territory thereof into not less than five voting precincts, each of which shall be plainly designated, and shall contain not less than six hundred voters. All precincts shall contain approximately an equal number of voters. The precincts shall be so established as to consist of compact and contiguous territory, to be bounded, so far as possible, by the centre line of known streets and ways or by other well-defined limits. Their boundaries shall be reviewed and, if need be, wholly or partly

revised, by the districting board, in December, once in five years, or in December of any year when it is so directed by a vote passed at a town meeting not later than the thirtieth day of November of that year. The districting board shall, within ten days after any establishment or revision of the precincts, but not later than January tenth of the succeeding year, file a report of their doings with the town clerk, the registrars of voters and the assessors, with a map or maps or description of the precincts and the names and residences of the registered voters therein. The districting board shall also cause to be posted in the town hall a map or maps or description of the precincts as established or revised from time to time, with the names and residences of the registered voters therein; and they shall also cause to be posted in at least one public place in each precinct a map or description of that precinct, with the names and residences of the registered voters therein. The division of the town into voting precincts and any revision of the precincts shall take effect upon the date of the filing of the report thereof by the districting board with the town clerk as hereinbefore provided. Whenever the precincts are established or revised, the town clerk shall forthwith give written notice thereof to the secretary of the commonwealth, stating the number and designation of the precincts. The provisions of chapter eight hundred and thirty-five of the acts of nineteen hundred and thirteen, and any amendments thereof or additions thereto relating to precinct voting at elections, so far as the same are not inconsistent with this act, shall apply to all elections and primaries in the town upon the establishment of voting precincts as hereinbefore provided.

Districting board to report doings, etc.

Division of town into voting precincts, date of taking effect, etc.

Certain election laws to apply.

SECTION 2. Other than the officers designated in section three of this act as town meeting members at large, the representative town meeting membership shall in each precinct consist of the largest number divisible by three which will admit of a representation of all precincts by an equal number of members and which will not cause the total elected town meeting membership to exceed two hundred and seventy. The registered voters in every precinct shall, at the first annual town election held after the establishment of the precincts, and at the first town election following any precinct revision, and conformably to the laws relative to elections not inconsistent with this act, elect by ballot the number of registered voters in the precinct, other than the officers designated in section three of this act as town meeting

Town meeting members, number, election, etc.

members at large, provided for in the last preceding sentence of this section, to be town meeting members of the town. Of the members so elected, one third shall be elected for the term of one year, one third for the term of two years and one third for the term of three years from the day of the annual town meeting; and thereafter, except as is otherwise provided herein, at each annual town election the registered voters of each precinct shall, in like manner, elect one third of the number of town meeting members to which that precinct is entitled for the term of three years, and shall at such election fill for the unexpired term or terms any vacancies then existing in the number of town meeting members in their respective precincts. Upon every revision of the precincts, or of any of them, the terms of office of all town meeting members from every such revised precinct shall cease upon the election of their successors, and at the first ensuing annual town election there shall be an entirely new election of town meeting members in every precinct so revised, as well as in any precinct newly established. The town clerk shall, after every election of town meeting members, forthwith notify each member by mail of his election.

New election of town meeting members, when, etc.

Notice of election.

Town meetings limited to certain elected members and members at large.

SECTION 3. Any representative town meeting held under the provisions of this act, except as is otherwise provided herein, shall, at and after the first annual election held under this act, be limited to the voters elected under section two together with the following, designated as town meeting members at large: namely, any member of the general court of the commonwealth from the town, the town moderator, the town clerk, the town treasurer, the town auditor, the town collector of taxes, the town counsel, if any, the chairman of the board of selectmen, the chairman of the board of public works, the chairman of the assessors of taxes, the chairman of the school committee, the chairman of the planning board, the chairman of the park commissioners, the chairman of the board of health, the chairman of the sinking fund commissioners, the chairman of the trustees of the Robbins Library, the chairman of the cemetery commissioners and the chairman of the finance committee, if any. The town clerk shall notify the town meeting members of the time and place at which representative town meetings are to be held, the notices to be sent by mail at least seven days before the meeting. The town meeting members, as aforesaid, shall be the judges of the election and qualification of their members. A majority of the town meeting members shall con-

Notice of town meetings.

Quorum.

stitute a quorum for doing business; but a less number may organize temporarily and may adjourn from time to time. Notice of every adjourned representative town meeting, which shall state briefly the business to be acted upon at the meeting, shall forthwith be posted by the town clerk in one or more public places in each precinct. The town meeting members as such shall receive no compensation. Any voter of the town who is not a town meeting member may attend any representative town meeting and, subject to such conditions as may be determined from time to time by the members of such meeting, may speak, but shall not vote. A town meeting member may resign by filing a written resignation with the town clerk, and his resignation shall take effect on the date of such filing. A town meeting member who removes from the town shall cease to be a town meeting member, and a town meeting member who removes from the precinct from which he was elected to another precinct shall not retain membership after the next annual election.

Notice of adjourned town meetings to be posted, etc.

Voters who are not town meeting members may attend meetings, etc.

Resignations, etc.

SECTION 4. Nomination of candidates for town meeting members to be elected under this act shall be made by nomination papers, which shall bear no political designation and shall be signed by not less than fifteen registered voters of the precinct in which the candidate resides and filed with the town clerk at least fifteen days before the election. No nomination papers shall be valid in respect to any candidate whose written acceptance is not thereon or attached thereto.

Nominations, how made.

SECTION 5. The articles in the warrant for the town meeting, relating to the election of the moderator, town officers, and town meeting members, as hereinbefore provided, referenda, and all other matters to be acted upon and determined by ballot, shall be so acted upon and determined by the voters of the town in the polling places provided for their respective precincts. All other articles in the warrant for any town meeting shall be acted upon and determined exclusively by town meeting members at a meeting to be held at such time and place as shall be set forth by the selectmen in the warrant for the meeting, subject to the referenda provided for by section eight.

Warrant articles, how acted upon, etc.

SECTION 6. A moderator shall be elected by ballot at each annual town meeting and shall serve as the moderator of all town meetings, except as otherwise provided by law, until a successor is elected and qualified. Nominations for and the election of a moderator shall be as in the case of other

Moderator, election, etc.

elective town officers, and any vacancy in the office may be filled by the town meeting members at a meeting held for that purpose. If the moderator is absent, a moderator pro tempore may be elected by the town meeting members.

Vacancies, how filled, etc.

SECTION 7. Any vacancy in the number of town meeting members from any precinct may be filled until the next annual election by the remaining members from that precinct, from among the registered voters of the precinct. Upon petition therefor, signed by not less than ten town meeting members from such precinct, notices of the vacancy shall promptly be given by the town clerk to the remaining members from the precinct, and the town clerk shall forthwith call a special meeting of such members for the purpose of filling any vacancy. The town clerk shall cause to be mailed to each of such members, not less than seven days before the time set for the meeting, a notice specifying the object, time and place of the meeting. At the said meeting a majority of the members shall constitute a quorum, and they shall elect from their own number a chairman and a clerk. The choice to fill any vacancy shall be by ballot, and a majority of the votes cast shall be required for a choice. The chairman and clerk shall make a certificate of the choice and forthwith file the same with the town clerk, together with a written acceptance by each member so chosen, who shall thereupon be deemed elected and qualified as a town meeting member, subject to the right of the town meeting members to judge of the election and qualification of members as set forth in section three.

Notice of meeting, etc.

Choice to be by ballot, etc.

Articles in warrant, how not to be finally disposed of.
Votes, when to become operative.

SECTION 8. No article in the warrant shall finally be disposed of by a vote to lay upon the table, to indefinitely postpone, or to take no action thereunder. Any vote passed at any representative town meeting under any article in the warrant, except a vote to adjourn, shall be inoperative until after the expiration of five days, exclusive of Sundays and holidays, from the dissolution of the meeting. If, within said five days a petition, signed by not less than one hundred registered voters of the town, containing their names and addresses, as they appear on the list of registered voters, is filed with the selectmen requesting that the question or questions involved in such vote be submitted to the voters of the town at large, then the selectmen, within fourteen days after the filing of the petition, shall call a special meeting which shall be held within ten days after the issuing of the call, for the sole purpose of presenting to the voters at large

Referendum.

the question or questions so involved. The polls shall be opened at two o'clock in the afternoon and shall be closed not earlier than eight o'clock in the evening, and all votes upon any questions so submitted shall be taken by ballot, and the check list shall be used in the several precincts in the same manner as in the election of town officers. The questions so submitted shall be determined by vote of the same proportion of the voters at large voting thereon as would have been required by law of the town meeting members had the question been finally determined at a representative town meeting. The questions so submitted shall be stated upon the ballot in the same language and form in which they were stated when presented to said representative town meeting by the moderator, and as they appear upon the records of the said meeting. If such petition be not filed within the said period of five days, the vote in the representative town meeting shall become operative upon the expiration of the said period.

Questions, how determined, how stated upon ballot, etc.

SECTION 9. The town of Arlington, after the acceptance of this act, shall have the capacity to act through and to be bound by its said town meeting members who shall, when convened from time to time as herein provided, constitute representative town meetings; and such representative town meetings shall exercise exclusively, so far as will conform to the provisions of this act, all powers vested in the municipal corporation. Action in conformity with all provisions of law now or hereafter applicable to the transaction of town affairs in town meetings shall, when taken by any representative town meeting in accordance with the provisions of this act, have the same force and effect as if taken in a town meeting open to all the voters of the town as heretofore organized and conducted.

Action binding upon town.

SECTION 10. This act shall not abridge the right of the people of Arlington to hold general meetings, as that right is secured to them by the constitution of the commonwealth; nor shall this act confer upon any representative town meeting in Arlington the power finally to commit the town to any measure affecting its municipal existence or changing its government, without action thereon by the voters of the town at large, using the ballot and check lists therefor.

General meetings may be held, etc.

SECTION 11. This act shall be submitted to the registered voters of the town of Arlington at any annual or special town meeting called for the purpose. The vote shall be taken by ballot in accordance with the provisions of chapter eight

Act to be submitted to voters, etc.

hundred and thirty-five of the acts of nineteen hundred and thirteen and any amendments thereof or additions thereto, so far as the same shall be applicable, in answer to the question: "Shall an act passed by the general court in the year nineteen hundred and twenty entitled 'An Act to provide for precinct voting, representative town meetings, town meeting members, a referendum and an annual moderator in the town of Arlington' be accepted by this town?" and the act shall take effect upon its acceptance by a majority of the voters voting thereon.

Repeal.

SECTION 12. Chapter one hundred and sixty-eight of the acts of nineteen hundred and six, being an act relative to town meetings in the town of Arlington, is hereby repealed.

Time of taking effect.

SECTION 13. So much of this act as authorizes its submission to the registered voters of the town shall take effect upon its passage, and the remainder shall take effect upon its acceptance as aforesaid. *Approved December 22, 1920.*

Chap. 643 AN ACT MAKING APPROPRIATIONS FOR EXPENSES OF THE PRESENT EXTRA SESSION OF THE GENERAL COURT AND CERTAIN OTHER EXPENSES AUTHORIZED BY LAW.

Be it enacted, etc., as follows:

Appropriations for expenses of extra session of general court and certain other expenses.

SECTION 1. To provide for certain expenses of the present extra session of the general court and for certain other expenses authorized by law, the sums set forth in section two for the purposes, and subject to the conditions stated therein, are hereby appropriated from the general fund or ordinary revenue of the commonwealth for the fiscal year beginning December first, nineteen hundred and twenty, unless some other source of revenue is expressed, subject to the provisions of law regulating the disbursements of public funds, and the approval thereof.

SECTION 2.

Item

Service of the Legislative Department.

Legislative Department.

- | | | |
|---|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 1 | For additional compensation of senators for their services during the present extra session, at the rate of two hundred dollars for each senator, except that the president shall receive four hundred dollars, as authorized by chapter eighty-seven of the resolves of the present year, a sum not exceeding eight thousand dollars, | \$8,000 00 |
| 2 | For compensation for travel of senators for the present extra session, as authorized by said chapter eighty-seven, a sum not exceeding eight hundred and twenty-eight dollars, | 828 00 |

Item		Legislative Department.
3	For additional compensation of representatives for their services during the present extra session, at the rate of two hundred dollars for each representative, except that the speaker shall receive four hundred dollars, as authorized by said chapter eighty-seven, a sum not exceeding forty-eight thousand two hundred dollars,	\$48,200 00
4	For compensation for travel of representatives for the present extra session, as authorized by said chapter eighty-seven, a sum not exceeding fifty-two hundred and ninety-two dollars,	5,292 00
5	For additional compensation of the sergeant-at-arms and the employees of his department, at the rate of one hundred dollars each, for their services during the present extra session, a sum not exceeding four thousand dollars,	4,000 00
6	For additional compensation of the clerks and assistant clerks of the senate and house of representatives for their services during the present extra session, at the rate of one hundred dollars each, a sum not exceeding four hundred dollars,	400 00
7	For additional compensation of the chaplains of the senate and house of representatives for their services during the present extra session, at the rate of one hundred dollars each, a sum not exceeding two hundred dollars,	200 00
8	For compensation for travel, for the present extra session, of doorkeepers, assistant doorkeepers, messengers, pages and other employees of the sergeant-at-arms, authorized by law to receive the same, a sum not exceeding five hundred and fifty dollars,	550 00
9	For clerical and other assistance for the committees on rules of the two branches, for services rendered during the current month of December, a sum not exceeding thirty-one hundred and forty-two dollars,	3,142 00
10	For other expenses of committees of the present general court, with the approval of a majority of the committee incurring the same, a sum not exceeding eighty-seven dollars and twenty cents,	87 20
11	For printing three thousand copies of the report of the joint special recess committee, the sum of six thousand dollars is hereby made available from the unexpended balance of the appropriation made for contingent expenses of the recess committee, and in addition thereto, a sum not exceeding nineteen thousand dollars,	19,000 00
12	For preparing or completing copy for the several indexes, tables, history and citations, and for printing six thousand sets of the General Laws with index, a sum not exceeding seventy-five thousand nine hundred dollars,	75,900 00

	Item	
Legislative Department.	13	For expenses and necessary assistance for the joint committee of the present extra session in preparing copy of the General Laws for enactment, a sum not exceeding four thousand dollars, . . . \$4,000 00
	14	For printing a pamphlet of changes in the report of the joint special recess committee made during the present extra session, a sum not exceeding six hundred dollars, . . . 600 00
	15	For such additional clerical assistance, to and with the approval of the clerk of the house of representatives, as may be necessary for the present extra session, a sum not exceeding two hundred and seventy-five dollars, . . . 275 00
		<i>Miscellaneous Service.</i>
Department of Public Health.	16	For expenses to be incurred by the department of public health in making a report to the next general court on measures for the prevention and control of bubonic plague, as authorized at the present extra session, a sum not exceeding five thousand dollars, . . . 5,000 00
	Total, \$175,474 20

SECTION 3. This act shall take effect upon its passage.
Approved December 22, 1920.

Chap.644 AN ACT MAKING APPROPRIATIONS FOR DEFICIENCIES IN APPROPRIATIONS FOR EXPENSES OF THE FISCAL YEAR NINETEEN HUNDRED AND TWENTY.

Be it enacted, etc., as follows:

Appropriations for deficiencies in appropriations for expenses of fiscal year 1920.

SECTION 1. To provide for sundry deficiencies in certain appropriations for expenditures of the fiscal year nineteen hundred and twenty, the sums set forth in section two for the several purposes, and subject to the conditions therein specified, are hereby appropriated from the general fund or revenue of the commonwealth, unless some other source of revenue is expressed, subject to the provisions of law regulating the disbursement of public funds and the approval thereof.

SECTION 2.

	Item.	
Constitutional Convention.		
		For expenses of publishing the debates of the constitutional convention, the sum of forty-three hundred forty-three dollars and sixty-seven cents is hereby made available from the unexpended balance of the appropriation made for expenses of the convention for the year nineteen hundred and nineteen, . . . \$4,343 67

Item		
27a	For traveling expenses of the recess committee on consolidating and arranging the General Laws, a sum not exceeding thirteen hundred and fifty dollars,	Legislative Department. \$1,350 00
41	For traveling expenses of the justices of the superior court in excess of the sum of five hundred dollars, as authorized by chapter two hundred and eighty-eight of the General Acts of nineteen hundred and nineteen, a sum not exceeding twenty-seven hundred fifteen dollars and thirty cents,	Superior Court. 2,715 30
74	For traveling expenses necessarily incurred by the district attorneys, except in the Suffolk district, a sum not exceeding three hundred twenty-one dollars and seventy-two cents,	District Attorneys. 321 72
77	For personal services of the land court in the examination of titles, for publishing and serving citations and other services, traveling expenses, supplies and office equipment, and for the preparation of sectional plans showing registered land, a sum not exceeding three thousand twelve dollars and ninety-two cents,	Land Court. 3,012 92
81	For other services of the board of bar examiners, including printing the annual report and traveling expenses, office supplies and equipment, a sum not exceeding one hundred sixty-nine dollars and sixty-one cents,	Board of Bar Examiners. 169 61
87	For postage, printing, office and other contingent expenses, including travel, of the governor, a sum not exceeding thirteen hundred sixty-six dollars and sixty-two cents,	Executive Department. 1,366 62
101	For the maintenance of the state guard, including allowances and expenses for drills and training and for certain supplies, equipment, and the maintenance and operation thereof, a sum not exceeding nine hundred ninety-nine dollars and ninety-three cents,	State Guard. 999 93
129	For the maintenance of armories of the first class, a sum not exceeding four hundred fifty dollars and fifty-three cents,	Armories. 450 53
132	For personal services of the chief surgeon and regular assistants, a sum not exceeding ninety dollars,	Chief Surgeon. 90 00
157	For books and other publications and things needed for the state library, and the necessary binding and rebinding incidental thereto, a sum not exceeding three hundred eighty-five dollars and thirty-three cents,	State Library. 385 33
	For the service of the Secretary of the Commonwealth as follows:	Secretary of the Commonwealth.
182	For services other than personal, traveling expenses, office supplies, and equipment, a sum not exceeding four thousand forty-one dollars and eighty-two cents,	\$4,041 82

	Item		
Registration books and blanks.	185	For printing registration books and blanks and indexing returns, a sum not exceeding nine hundred eighty-six dollars and seventy cents,	\$986 70
Printing laws, etc.	191	For printing the pamphlet edition of the acts and resolves of the present year, a sum not exceeding thirteen hundred ninety-three dollars and forty-two cents,	1,393 42
Paper.	195	For the purchase of paper used in the execution of the contract for the state printing, a sum not exceeding forty-seven thousand eight hundred ninety-two dollars and sixty cents,	47,892 60
Public documents.	196	For printing and binding public documents, a sum not exceeding thirty-eight hundred fifty-one dollars and seventy-three cents,	3,851 73
Election matters.	199	For personal and other services necessary for preparing and printing ballots for the primary elections, a sum not exceeding twelve thousand six hundred thirty-eight dollars and twenty-five cents,	12,638 25
Ballots.	200	For the printing and distribution of ballots, a sum not exceeding twenty-six thousand one hundred thirteen dollars and one cent,	26,113 01
Election laws, etc.	201	For the printing of blanks for town officers, election laws and blanks and instructions on all matters relating to elections, a sum not exceeding nineteen hundred eighty-nine dollars and fifty-two cents,	1,989 52
Certain publications.	201½	For expense of the publication of lists of candidates and forms of questions before state elections, as authorized by chapter five hundred and fifty-nine of the acts of the present year, a sum not exceeding sixty-six dollars and four cents,	66 04
Ballot boxes.	202	For furnishing cities and towns with ballot boxes and for repairs to the same, a sum not exceeding one hundred and sixty-three dollars,	163 00
Election apparatus.	203	For the purchase of apparatus to be used at polling places in the canvass and counting of votes, a sum not exceeding one hundred fifty-nine dollars and fifty cents,	159 50
Information to voters.	205	For expenses of compiling and publishing information to voters, as required by chapter one hundred and eighty-seven of the General Acts of nineteen hundred and nineteen, a sum not exceeding twenty-four thousand fifty-nine dollars and forty-one cents,	24,059 41
Interest on direct debt and temporary loans.	233	For the payment of interest on the direct debt and temporary loans of the commonwealth, a sum not exceeding three hundred nine thousand five hundred sixty-six dollars and ninety-nine cents,	309,566 99
Attorney-General's Department.	253	For services of the attorney-general's department other than personal, traveling expenses, office supplies and equipment, a sum not exceeding two hundred thirty-three dollars and thirty-four cents,	233 34

Item			
270	For other expenses of the division of markets, in the department of agriculture, a sum not exceeding one hundred five dollars and eighty-one cents,	\$105 81	Division of Markets.
311	For services of the division of banks other than personal, printing the annual report, traveling expenses, office supplies and equipment, a sum not exceeding eighteen hundred eighty-one dollars and forty-eight cents,	1,881 48	Division of Banks.
318½	For expenses of the board of appeal on fire insurance rates, a sum not exceeding one hundred four dollars and ninety-two cents,	104 92	Board of Appeal on Fire Insurance Rates.
323	For the services of additional clerical and other assistants in the department of corporations and taxation, a sum not exceeding five hundred sixty-four dollars and eighty cents,	564 80	Department of Corporations and Taxation.
346	For the reimbursement of certain towns for the transportation of pupils attending high schools outside the towns in which they reside, as provided by law, a sum not exceeding eleven thousand seven hundred forty-eight dollars and ten cents,	11,748 10	Department of Education. Reimbursement of towns for high school transportation.
359	For general administration of the division of the blind, furnishing information, industrial and educational aid, and for carrying out the other provisions of the act establishing said commission, a sum not exceeding four hundred seventy-three dollars and seventy-one cents,	473 71	Division of the Blind.
374	For the maintenance of the Massachusetts nautical school and ship, a sum not exceeding ten hundred eighty-one dollars and twenty cents,	1,081 20	Massachusetts Nautical School.
392	For the maintenance of the normal art school, a sum not exceeding four hundred two dollars and fifty-three cents,	402 53	Normal Art School.
398	For other services of the division of civil service, and for printing the annual report, and for office supplies and equipment, a sum not exceeding four hundred forty-six dollars and seventy four cents,	446 74	Division of Civil Service.
417	For other services of the board of registration in optometry, printing the annual report, office supplies and equipment, and traveling expenses of the members of the board, a sum not exceeding ninety dollars and fifteen cents,	90 15	Board of Registration in Optometry.
424	For expenses of the department of industrial accidents for impartial examinations, a sum not exceeding sixteen hundred and fifty-nine dollars,	1,659 00	Department of Industrial Accidents.
436	For traveling expenses of the commissioner of labor and industries, assistant commissioner, associate commissioners and inspectors of labor, a sum not exceeding five hundred sixty dollars and nineteen cents,	560 19	Department of Labor and Industries.

Item			
Division of Aid and Relief.	437	For services other than personal, printing the annual report, rent of district offices and office supplies and equipment for the inspectional service of the department of labor and industries, a sum not exceeding three hundred sixty-four dollars and eighty-seven cents, . . .	\$364 87
	500	For services other than personal of the division of aid and relief of the department of public welfare, including traveling expenses and office supplies and equipment, a sum not exceeding two hundred ninety-nine dollars and ninety-five cents, . . .	299 95
Penikese Hospital.	569	For the maintenance of the Penikese hospital, to be expended with the approval of the department of public health, a sum not exceeding eight hundred seventy-two dollars and sixty-seven cents, . . .	872 67
Department of Public Safety.	570	For the salary of the commissioner of public safety and for personal services of clerks and stenographers, a sum not exceeding four dollars and sixty-six cents, . . .	4 66
	571	For contingent services of the department of public safety, including printing the annual report, rent of district offices, supplies and equipment, and all other things necessary for the investigation of fires and moving-picture licenses, as required by law, a sum not exceeding nine hundred eighty-nine dollars and twenty-one cents, . . .	989 21
	576	For personal services, rent, supplies and equipment necessary in the enforcement of statutes relative to explosives and inflammable fluids and compounds, a sum not exceeding one hundred forty-one dollars and fifty-six cents, . . .	141 56
	578	For traveling expenses of the building inspection service of the division of inspections, a sum not exceeding thirteen hundred eight dollars and sixty-one cents, . . .	1,308 61
Division of Inspections.	580	For traveling expenses of the boiler inspection service of the division of inspections, a sum not exceeding twenty-two hundred eighty-nine dollars and eighty-eight cents, . . .	2,289 88
Division of Waterways and Public Lands.	600	For services other than personal of the division of waterways and public lands, including printing and binding the annual report, and for necessary office and engineering supplies and equipment, a sum not exceeding one hundred seventy-one dollars and twenty-one cents, from receipts in the Port of Boston Fund, . . .	171 21
	605	For the operation and maintenance of the New Bedford state pier, a sum not exceeding thirty-two hundred seventy-four dollars and thirty-three cents, . . .	3,274 33

Item			
606	For the supervision and operation of commonwealth pier five, including the salaries or other compensation of employees, and for the repair and replacement of equipment and other property, a sum not exceeding eight hundred fifteen dollars and ninety-six cents, from receipts in the Port of Boston Fund,	\$815 96	
607	For the maintenance and improvement of commonwealth property under the control of the division of waterways and public lands, a sum not exceeding thirty-seven hundred eighty-seven dollars and eighty cents, from receipts in the Port of Boston Fund,	3,787 80	
609	For the maintenance of pier one, at East Boston, a sum not exceeding twenty-two dollars and twenty-one cents, from receipts in the Port of Boston Fund,	22 21	
627	For expenses of inspectors and deputies of the gas and electric light service of the department of public utilities, including office rent, traveling and other necessary expenses of inspection, a sum not exceeding four hundred seventy-eight dollars and eleven cents, to be assessed upon the gas and electric light companies,	478 11	Department of Public Utilities.
631	For services and expenses in connection with the abatement of smoke in Boston and vicinity, under the direction and with the approval of the department of public utilities, a sum not exceeding one hundred nine dollars and seven cents, the same to be assessed upon the cities and towns of the district named in section one of chapter six hundred and fifty-one of the acts of nineteen hundred and ten,	109 07	Smoke abatement.
632	For expenses incurred for the preparation of preliminary studies and estimates as required by chapter two hundred and ninety of the General Acts of nineteen hundred and eighteen, where no appropriation is made to carry out the improvement requested, a sum not exceeding fifteen hundred thirty dollars and seventy cents,	1,530 70	Miscellaneous.
	The following items are to be assessed upon the several districts in accordance with the methods fixed by law, and to be expended under the direction and with the approval of the metropolitan district commission:		
639	For the maintenance and operation of a system of sewage disposal for the north metropolitan sewerage district, a sum not exceeding twenty-three thousand three hundred ninety-two dollars and fifty-four cents,	23,392 54	Metropolitan District Commission.

Item

640	For the maintenance and operation of a system of sewage disposal for the south metropolitan sewerage district, a sum not exceeding six thousand one dollars and sixty-five cents,	\$6,001 65
	Total,	\$513,334 58

SECTION 3. This act shall take effect upon its passage.
Approved December 22, 1920.

Chap. 645 AN ACT RELATIVE TO AUTOMATIC SPRINKLERS IN TENEMENT HOUSES IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Certain laws relating to automatic sprinklers in tenement houses in Boston suspended, etc.

SECTION 1. The provisions of the fourth, fifth and sixth paragraphs of section forty-five of chapter five hundred and fifty of the acts of nineteen hundred and seven, as amended by section ten of chapter seven hundred and eighty-two of the acts of nineteen hundred and fourteen, and by section four of chapter three hundred and fifty-two of the Special Acts of nineteen hundred and fifteen, and by section one of chapter four hundred and forty of the acts of nineteen hundred and twenty, are hereby suspended and rendered inoperative as to tenement houses now existing until the first day of March in the year nineteen hundred and twenty-one.

To be submitted to mayor of Boston, etc.

SECTION 2. This act shall take effect upon its acceptance by the mayor of the city of Boston; but for the purposes of such acceptance it shall take effect upon its passage.

Approved December 22, 1920.

[An Act for Consolidating and Arranging the General Statutes of the Commonwealth. *Approved December 22, 1920.*]

The General Laws contained in said Act are printed and distributed in accordance with Chapter 90 of the Resolves of 1920.

RESOLVES

EXTRA SESSION, 1920.

RESOLVE PROVIDING FOR THE PRINTING OF THE GENERAL LAWS. *Chap. 86*

Resolved, That a joint special committee, to consist of one member of the senate, to be appointed by the president, and two members of the house of representatives, to be appointed by the speaker, be authorized to employ such assistants as it may deem necessary, who shall, under its direction, prepare for the printers the General Laws of the commonwealth enacted at the present session of the general court, and likewise under its direction shall examine and correct such proof sheets thereof as it may be found necessary to print. The said committee is also authorized to provide for a suitable introduction to the General Laws, the preparation of tables showing the disposition made of the Revised Laws and of the general statutes passed since the enactment of the Revised Laws, marginal notes indicating the statutory history of the various sections of the General Laws, together with citations of court decisions, the completion of the index of the General Laws, and the printing of the federal and state constitutions in the first volume of the General Laws.

Provision for
printing the
General Laws.

Approved December 14, 1920.

RESOLVE FIXING THE COMPENSATION OF THE MEMBERS OF THE GENERAL COURT FOR THE PRESENT EXTRA SESSION. *Chap. 87*

Resolved, That there be allowed and paid to each member of the general court two hundred dollars for the present extra session, and to the president of the senate and to the speaker of the house of representatives two hundred dollars each additional; and that one fifth of the compensation for travel provided for by law for the regular annual session shall be allowed and paid to the members of the general court for the extra session.

Compensation
of members of
general court
for extra
session fixed.

Approved December 15, 1920.

Chap. 88 RESOLVE TO PROVIDE FOR DISTRIBUTING THE REPORT OF THE JOINT SPECIAL COMMITTEE ON CONSOLIDATING AND ARRANGING THE GENERAL LAWS.

Distribution of report of joint special committee on consolidating and arranging the General Laws.

Resolved, That such copies as have not already been distributed of the report of the joint special committee on consolidating and arranging the General Laws, together with a copy of the amendments adopted by the general court at its extra session, be distributed by the secretary of the commonwealth as follows: —

Six copies to the executive department for the use of that department and of those officials and commissioners who serve directly under the governor and council; one to each state department and division thereof; one each to the justices of the supreme judicial court and the clerks thereof; one each to the justices of the superior court and the clerks thereof; one each to the judges of probate and insolvency for each county of the commonwealth, and the registrars thereof; one to the judge, associate judge, recorder and assistant recorders of the land court; one to the judge of the Boston juvenile court; one each to the justices of the several police courts; one each to the justices of the district courts of the commonwealth; one each to the chief justice and the associate justices of the municipal court of the city of Boston and one for the use of the clerk for civil business and one for the use of the clerk for criminal business of said court; one each to the justices of the several remaining municipal courts of the commonwealth; one each to the several trial justices; one each to the several district attorneys; one to each board of county commissioners except in the county of Suffolk; one each to the clerks of the several cities and towns of the commonwealth for the use of the inhabitants thereof.

One copy shall be given to each of the following colleges and universities: — Harvard University, Boston University, Clark University, Williams College, Amherst College, Tufts College, College of the Holy Cross, Boston College, Massachusetts Institute of Technology, Worcester Polytechnic Institute, Massachusetts Agricultural College, Wellesley College, Smith College, Mount Holyoke College, Radcliffe College; one each to the law school of Harvard University, the Northeastern College School of Law of the Boston Young Men's Christian Association, and the Suffolk Law School; seven copies to the state library; one each to the county law libraries, incorporated law libraries and to all branch libraries

maintained by them; one copy to such free public libraries as are designated by the board of free public library commissioners to require the same; two copies for use in the reporters' gallery; twenty-five copies to be reserved for the use of the general court; twenty-one copies to the executive committee of the joint special committee on consolidating and arranging the General Laws. The remaining copies shall be distributed to public officials not hereinbefore specified by the secretary of the commonwealth, in his discretion, or sold at a price per copy not less than the cost of printing.

Approved December 22, 1920.

RESOLVE RELATIVE TO THE PRINTING AND DISTRIBUTION OF
THE PAMPHLET CONTAINING AMENDMENTS TO THE REPORT
OF THE JOINT SPECIAL COMMITTEE ON CONSOLIDATING
AND ARRANGING THE GENERAL LAWS. Chap. 89

Resolved, That the committee on printing the General Laws, appointed under chapter eighty-six of the resolves of the current year, is hereby directed to cause to be prepared a pamphlet containing all amendments of the report of the joint special committee on consolidating and arranging the General Laws which were adopted at the present extra session, the amendments to be printed on one side of the page only, so that they shall be available for insertion in the said report, as printed.

Printing and distribution of pamphlet containing amendments to report of joint special committee on consolidating and arranging the General Laws.

Three thousand copies of the said pamphlet shall be printed and shall be distributed by the secretary of the commonwealth to those persons to whom the said report is distributed.

Approved December 22, 1920.

RESOLVE RELATIVE TO THE PRINTING AND DISTRIBUTION OF
THE GENERAL LAWS. Chap. 90

Resolved, That the state secretary cause to be electrotyped, printed and bound in two volumes, continuously paged, six thousand copies of the General Laws enacted at the present extra session of the general court; that he deposit one copy of the same, bound in parchment, in the office of the state secretary, and distribute other copies as follows: — To the clerk of the senate, for the use of the senate, twelve; to the clerk of the house of representatives, for the use of the house, twenty-four; to each member of the general court and to the officers of each branch thereof, one each; to the state library,

Printing and distribution of the General Laws.

Printing and
distribution of
the General
Laws.

twenty-five; to the state treasurer and the state auditor, two each; one each to the governor, the lieutenant governor, the members of the executive council, the attorney-general and his assistants, the adjutant general, every permanent state department and division thereof, every board and commission having an office and clerk, the commissioners to consolidate and arrange the general laws, and their secretary; the senators and representatives in congress from the commonwealth, the justices, clerks, registers and assistant registers of the courts, the reporter of decisions, the recorder of the land court, the trial justices, justices of the peace to issue warrants and take bail, district attorneys, masters in chancery, medical examiners, associate medical examiners, county commissioners, county treasurers, registers of deeds, sheriffs, to the several cities and towns; the warden of the state prison, the superintendent of the Massachusetts reformatory, the superintendent of the reformatory for women, keepers of jails and houses of correction, superintendents of state hospitals, superintendents of the Massachusetts training schools, superintendents of the state infirmary and the state farm, Harvard University, Boston University, Clark University, Williams College, Amherst College, Tufts College, College of the Holy Cross, Boston College, Massachusetts Institute of Technology, Worcester Polytechnic Institute, Massachusetts Agricultural College, Wellesley College, Smith College, Mount Holyoke College, Radcliffe College, the law schools of Harvard University and Boston University, the Northeastern College School of Law of the Boston Young Men's Christian Association, the Suffolk Law School, the state normal schools, all free public libraries, the county law libraries, all incorporated law libraries and branch libraries maintained by them, the Massachusetts Historical Society, the New England Historic-Genealogical Society, the Boston Athenæum, the American Antiquarian Society in Worcester, such other educational and historical institutions and organizations as the state secretary may designate, the justices of the supreme court of the United States, and the judges and clerks of the United States circuit court of appeals and the district court for the district of Massachusetts; to the clerks of the supreme judicial court and the superior court, a number sufficient to supply two copies at each place where regular or adjourned sessions of said courts are held; to the secretary of state of the United States, four; to the states and territories of the United States, one; to the library of congress, three; to the

state secretary for distribution in certain important cases not otherwise provided for by law, two hundred.

Resolved, That the state secretary cause to be electrotyped, printed and bound six thousand copies of the index to the General Laws, one copy to accompany each copy of the General Laws, whether distributed or sold: *provided, however*, that the electrotypes plates of the General Laws and index shall be and remain the property of the commonwealth.

Printing and distribution of index to the General Laws.

Proviso.

Resolved, That copies of the General Laws and the index thereto may be sold by the state secretary, at a price to be fixed by him which shall be not less than the cost thereof; and additional copies may be printed for sale, at the discretion of the secretary. *Approved December 22, 1920.*

Sale of copies of the General Laws, etc.

RESOLVE AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH TO REPORT TO THE NEXT GENERAL COURT ANY MEASURES NECESSARY FOR THE PREVENTION AND CONTROL OF BUBONIC PLAGUE. *Chap. 91*

Resolved, That the department of public health is hereby authorized, after investigation, to report to the next general court any measures necessary for the prevention and control of bubonic plague, and for this purpose may expend such sum, not exceeding five thousand dollars, as shall be appropriated therefor. *Approved December 22, 1920.*

Department of public health to report any measures necessary to prevent and control bubonic plague.

The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND TWENTY.

PROPOSAL FOR A LEGISLATIVE AMENDMENT TO THE CONSTITUTION RELATIVE TO THE ESTABLISHMENT OF MUNICIPAL OR CITY GOVERNMENTS IN TOWNS.

A joint session of the Senate and House of Representatives hereby declares it to be expedient to alter the Constitution by the adoption of the following Article of Amendment, to the end that it may become a part of the Constitution, if similarly agreed to in a joint session of the next General Court and approved by the people at the state election next following:

Proposed amendment to the constitution relative to the establishment of municipal or city governments in towns.

ARTICLE OF AMENDMENT.

Article II of the Articles of Amendment to the Constitution of the Commonwealth is hereby amended by striking out the word "twelve" in the second sentence, and substituting the word "four", so that the said Article will read as follows:

ARTICLE II. The general court shall have full power and authority to erect and constitute municipal or city governments, in any corporate town or towns in this commonwealth, and to grant to the inhabitants thereof such powers, privileges, and immunities, not repugnant to the constitution, as the general court shall deem necessary or expedient for the regulation and government thereof, and to prescribe the manner of calling and holding public meetings of the inhabitants, in wards or otherwise, for the election of officers under the constitution, and the manner of returning the votes given at such meetings. Provided, that no such government shall be erected or constituted in any town not containing four thousand inhabitants, nor unless it be with the consent, and on the application of a majority of the inhabitants of such town, present and voting thereon, pursuant to a vote at a meeting

duly warned and holden for that purpose. And provided, also, that all by-laws, made by such municipal or city government, shall be subject, at all times, to be annulled by the general court.

IN JOINT SESSION, December 21, 1920.

Amendment
agreed to and
referred to the
next General
Court.

The foregoing legislative amendment is agreed to in a joint session of the two houses, the said amendment having received the affirmative votes of a majority of all the members elected; and it is referred to the next General Court in accordance with a provision of the Constitution.

EDWIN T. McKNIGHT,
President of the Joint Session.

HENRY D. COOLIDGE,
Clerk of the Joint Session.

(See note printed on page 689.)

The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND TWENTY.

PROPOSAL FOR A LEGISLATIVE AMENDMENT TO THE CONSTITUTION RELATIVE TO THE QUALIFICATIONS OF VOTERS FOR CERTAIN STATE OFFICERS.

A joint session of the senate and house of representatives hereby declares it to be expedient to alter the constitution by the adoption of the following article of amendment, to the end that it may become a part of the constitution, if similarly agreed to in joint session of the next general court and approved by the people at the state election next following:

Proposed amendment to the constitution relative to the qualifications of voters for certain state officers.

ARTICLE OF AMENDMENT.

Article III of the amendments to the constitution, as amended, is hereby further amended by striking out, in the first line, the word "male".

IN JOINT SESSION, December 21, 1920.

The foregoing legislative amendment is agreed to in a joint session of the two houses, the said amendment having received the affirmative votes of a majority of all the members elected; and it is referred to the next General Court in accordance with a provision of the Constitution.

Amendment agreed to and referred to the next General Court.

EDWIN T. McKNIGHT,
President of the Joint Session.

HENRY D. COOLIDGE,
Clerk of the Joint Session.

(See note printed on page 687.)

NOTE.

The General Court of 1920 during its extra session passed "An Act for consolidating and arranging the general statutes of the Commonwealth", which received executive approval. Fifteen other acts and six resolves also received executive approval.

An Act to provide for an equitable distribution of the cost of a bridge across the Connecticut river between Springfield and West Springfield was passed and laid before the governor for his approval; was returned by him, with his objections thereto, to the branch in which it originated; was reconsidered, and the vote being taken on its passage, the objections of the governor thereto notwithstanding, it was rejected, and thereby became void. The General Court was prorogued on Wednesday, December 22, at 10.05 P.M., the extra session having occupied sixteen days.

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The following tables and the index to the Acts and Resolves of the current year have been prepared by WILLIAM E. DORMAN, Esq., and HENRY D. WIGGIN, Jr., Esq., counsel, respectively, to the Senate and House of Representatives, in accordance with section fifty-one of chapter three of the General Laws.

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The Commonwealth of Massachusetts

OFFICE OF THE SECRETARY, BOSTON, September 1, 1921.

I certify that the acts and resolves contained in this volume are true copies of the originals on file in this department.

I further certify that the table of changes in general laws has been prepared, and is printed as an appendix to this edition of the laws, by direction of the Joint Committee on Rules of the General Court, in accordance with the provisions of section 51, chapter 3 of the General Laws.

FREDERIC W. COOK,
Secretary of the Commonwealth.

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